

had been Earl *William Fitz-Osborne's*, as is aforesaid, *Bertha* the second Daughter of Earl *Miles* married *William de Brewse*, who had for his Part the Lordship of *Brecon*, and *Lucy* the third Daughter married *Herbert Fitz-Herbert*, who had the Forest of *Dene*, and other Lands for his Share.

Thus the said *Humphry de Bohun* became possessed of the Castle of *Hereford*, the said Manor of *Hampton Richards*, now *Hampton Court*, and of the said Manors of *Marden* and *Lene*, and also of the five Hundreds called *Kingston*, *Bodenham*, *Burghull*, *Stretford* and *Cowarne*, hereafter mentioned, as will appear by several Records hereafter set forth; all which Premises after descended to his Grandson *Henry*, created Earl of *Hereford* by King *John*, as is hereafter mentioned, and are ancient Demefne of the Crown, as appears by the general Survey in *Domesday Book*, whereof so much as relates hereunto, follows in the very Words of the Book.

*Vide the Copy of King John's Creation of Henry de Bohun Earl of Hereford No. 3. and the Earl's Surrender, No. 4. in Consideration whereof he was created Earl, as hereafter mentioned, attested by the said Mr. Holmes.*

*In the City of Hereford in the Time of King Edward, there were an hundred and three Men inhabiting within and without the Wall, having the following Customs.*

*Vide Domesday Book, fol. 179, relating to the 103 Men.*

*If any of them design'd to leave the City, he might by the Permission of the chief Officer, sell his House to another, that was willing to perform the accustomed Service, the chief Officer receiving the third Penny of the Purchase Money.*

*But if any one by Reason of his Poverty, could not do the Service, he left his House without the Price to the chief Officer, who was to take Care that the House should not remain empty, and that the King might not lose the Service.*

*Within the Wall of the City, every entire four Oxgangs of Land was to pay seven Pence halfpenny, and four Pence towards hiring War Horses, and three Days in August to mow Hay at Maudin, and one Day to rake or gather it together wherever the Sheriff pleased.*

*He who had a Horse was thrice a Year to go with the Sheriff to the Pleadings and Hundreds.*

*When the King intended to hunt, a Man of every House, by Custom was to attend in the Wood.*

*Other Men, who had not four whole Oxgangs of Land, were to find some Things for the Hall, when the King was in the City.*

*When a Burgefs died, who serv'd with a War-horse, the King was to have his Horse and Arms: But of him who died without a Horse, the King was to have ten Shillings or his Land and House.*

*If any Man happened to die before he made his Will, the King was to have all his Money.*

These



These Customs had the Inhabitants of the City.

*And those living without the Wall had the like, saving only that a whole four Oxgang of Land without the Wall was to give but three Pence halfpenny.*

The other Customs were Common.

*Every Man's Wife, that brewed in or out of the City, was to give ten Pence by Custom.*

*Six Smiths there were in the City, each of whom was to pay a Penny from his Forge, and every one of them was to make a hundred and twenty Irons of the King's Iron, and to each of them were therefore given three Pence by Custom, and from all other Service those Smiths were free.*

*There were seven Moniers there, one of which was the Bishop's Monier.*

*When Money was to be renewed, every one of them was to pay eighteen Shillings for receiving coining Places, and from that Day they returned for a whole Month, each of them gave the King twenty Shillings, and so had the Bishop twenty Shillings from his Monier. When the King came into the City, the Moniers made him as many Pence as he pleased, being of his own Silver, and these seven had their own Sac and Soc.*

*Any of the King's Moniers dying, the King was to have twenty Shillings of Relief; but if he died before disposing of his Estate the King was to have it all.*

*If the Sheriff was to go with an Army into Wales, these Men were to go with him; but if any one was commanded to go, and would not go, he was to give the King forty Shillings.*

*In the same City Earl Herald had twenty seven Burgeses, having the same Customs as the other Burgeses.*

*The chief Officer of this City gave twelve Pounds to King Edward, and six Pounds to Earl Herald, and had in his own Estate all the aforesaid Customs.*

*But the King had in his own Demain three Forfeitures, viz. Breach of his Peace, the going or departing of a Servant from his Master, and the stopping of the Highway, and forestalling.*

*Whosoever had been guilty of any of these was to make good to the King a hundred Shillings.*

*At present the King has the City of Hereford in Demain, and the English Burgeses dwelling there have their former Customs. But Aliens have Acquittances for all Forfeitures (except the three aforesaid) for twelve Pence.*

*This City pays to the King sixty Pounds in white Pence, three hundred thirty five Pounds and eighteen Shillings are computed to be paid by those within the City, and eighteen Manors in Hereford who pay their Farms. The Pleas of the Hundred and County excepted.*



In *Domesday-Book* next after the Customs of the said One hundred and three Men, are enumerated the Names of all the Possessors of Lands in *Herefordshire*, as follows in the very Words of the Book.

Here are noted the Terre Tenants in *Herefordshire*, and in *Ar-* *Vide Domesday-Book,*  
*cenefelde* and in *Wales.* viz. fo. 179.

1. King *William*. . . . *Marden Manor.*
2. Bishop of *Hereford.*
3. Church of *Cormeliis*. . . . *Marden Church.*
4. Church of *Lire.*
5. Church of *Glouwercestre.*
6. Church of *St. Guthlac.*
7. *Nigell* the Physician. . . . *Sutton* in two Parts.
8. *Ralph de Toden.*
9. *Ralph de Mortimer.*
10. *Roger de Lacy*. . . . A Firm of *Marden.*
11. *Roger de Mucelgros*. . . . Part of *Lyde.*
12. *Robert Gernon*. . . . *Sutton Garnons.*
13. *Henry de Ferrieres.*
14. *William de Scobies.*
15. *William* Son of *Baderon.*
16. *William* Son of the *Norman*. . . . *Vern and Venn.*
17. *Trustine* Son of *Rolf.*
18. *Albert Lothariensis.*
19. *Alured de Merleberge.*
20. *Alured de Hispania.*
21. *Ausfrid de Cormelies*. . . . *Amberley and Fromanton.*
22. *Durand de Glouvesestre.*
23. *Drogo* Son of *Pour.*
24. *Osberne* Son of *Richard.*
25. *Gislebert* Son of *Tuold.*
26. *Ibert* Son of *Tuold.*
27. *Herman* of *Drewes.*
28. *Humphry* of *Buiniuile.*
29. *Hugh Lasne.*
30. *Urso* of *Abetock.*
31. *Griffin.*
32. *Rayner.*
33. *Carbonel.*
34. The Wife of *Ralph* the Chaplain.
35. *Stephen*. . . . *Westeneston*. . . . *Marden.*
36. *Madock*. . . . *Edic Elmer.*

C

Note.



Note, There is nothing in *Domesday-Book*, which mentions the Services of these 103 Men to be in the Hands of Earl *William Fitz Osborne*, the Reason is, because he was dead before that Survey was taken, and when that Survey was taken, the same were in the King's Hands by the Forfeiture of *Roger de Britolio*, Son of the said Earl as is beforementioned, but that the said Services of the hundred and three Men, did belong to the said Earl as appendant to the Manor of *Marden*, appears by the Entry in *Domesday-Book*, relating to the Manor of *Marden* hereafter set forth, in which are these Words, *And Earl William alienated from this Manor one Rod and gave it to one of the Burgeſſes of Hereford*. To explain and confirm which and also to prove that the said Earl was Possessor of the Castle of *Hereford*. In the Record of Assizes of the Justices Itinerants held 20 *Ed. 1.* when all Persons were called to shew, *Quo Warranto*, they claimed their Lands and Privileges, it is specified, that the Jury present, *That William Caperun held two Virgates of Land by Serjeancy of keeping the Gate of the Castle of Hereford*. This *Caperun* was the Descendant of that Burgeſſ of *Hereford*, to whom Earl *William* gave one Rod Parcel of the Manor of *Marden*. And further in the said *Iter Roll*, it is specified, *That a Prisoner in Custody of the Officer of Matilda Mortimer, Lady of the Manor of Marden, was conducted to the Castle of Hereford*, which shews the said Castle was an Appendant of the Manor of *Marden*. Further in the Customs of the 103 Men beforementioned, one is, that when the King intended to hunt, a Man of every House was to attend in the Wood, which Wood was called *Triviline*, and is mentioned in the Entry of *Domesday-Book* hereafter set forth, which had been Part of the Estate of the said Earl *William Fitz-Osborne*, as aforesaid, which Castle was also Part of the Estate of Earl *William*, which shews he had the Services of the 103 Men.

The Services of the 103 Men, inhabiting within and without the Walls of the City of *Hereford*, and who were obliged by their Tenures to mow and make the King's Hay in the Manor of *Marden*.

To accompany the King to his Hunting in the Woods of *Triviline* in his Manor of *Chingeston*, alias *Kingston*.

Vide *Domesday Book*, fo. 179, of Earl *William's* alienating one Rod of *Marden*.

Vide the Copy of the *Iter-Roll* of 20 *Ed. 1.* enter'd in *Cod. MS. No. 2. fo. 11.* and therein attested by Mr. *Lawtune*, and Mr. *Leslie* Deputy Chamberlains of the Tally Court.

Vide *Domesday-Book* and the *Iter-Roll*, ubi *supra*. . . . . And vide the Account of 1 *H. 5.* No. 14. out of the Dutchy Office attested by Mr. *Ayliffe* Keeper of the Records.

And attend the Sheriff to the Pleadings and Hundreds of the King's 18 Manors within the said County; and one of which Burgeſſes of *Hereford* was by the said *William Fitz-Osborne*, first Earl of *Hereford* after the Conquest, appointed to keep the Castle of *Hereford* (which at this Day is, as is also the Cathedral, within the Parish of *St. John*, and not within the City) and



and for which the said Earl *William* gave the said Burgefs a Virgate of Land out of his Manor of *Marden*.

The said Services of the said 103 Men, became as before mentioned reſteſt in the Crown, by the Forfeiture of *Roger de Britolio*, third Son of the ſaid Earl *William Fitz-Osborn*, and ſo remained till the Reign of *H. 2.* Son of *Maud* the Empreſs, who gave to one *Fryar Thomas*, one of the Brethren of the Order of *St. John of Jeruſalem* called *Hospitallers*, and his Brethren, a ſmall Quantity of Land, Part of the Wood of *Marden*, called *Dinmore*, where he erected a ſmall Preceptory.

*Vide the Copy of the Grant of H. 2. to the Hospitallers, No. 6. attested by the ſaid Mr. Holmes.*

And the City of *Hereford* is diſtinguiſhed from the ſaid 103 Men, by the ſame Entry in *Domesday-Book*, wherein the ſame is ſaid to be in the King's Hands in Demain, and ſo it continued till King *John* by his Grant of 10 Julij 17 Regni ſui, granted the City of *Hereford* to the Citizens of the ſame, in Fee-Farm for the Annual Rent of 40 l. But the ſaid 103 Men having been before the ſaid Grant of King *John* to the City, granted by his Brother and Predeceſſor *R. 1.* to the Order of *Hospitallers*, of *St. John of Jeruſalem*, the ſame were out of the Jurisdiction of the City, and diſtinct from the ſame, and always were ſo, whiſt they were in the Hands of the ſaid Hoſpital of *St. John*, and were a Manor, and governed by the Courts Leet and Baron of the ſaid Manor as the ſame now are, this appears by what follows.

*Vide the Copy of the Grant of King John to the Citizens of Hereford, No. 6. attested by the ſaid Mr. Holmes.*

For King *Richard 1.* after his Return from the *Holy Land*, granted to the ſaid *Hospitallers*, the ſaid Manor of *St. John* at *Hereford*, with Part of the Services of the ſaid 103 Men, together with that Part of *Sutton* (Part of his Manor of *Marden*) which *Spirites* the Prieſt held of *Nigell* the Phyſician, at the Time of the grand Survey of *Domesday-Book*, with the Lands of *Bunſhull*, and other Lands in the County of *Hereford*, and then the ſaid Knights *Hospitallers* of *St. John*, whoſe chief Priory was at *Clerkenwell*, built a Priory at *Hereford*, in the ſaid Manor of *St. John*, and this appears by the ſaid Grant of *R. 1.* which is in theſe Words following.

*Vide the Grant of R. 1. to the Hospitallers, No. 6. in the next Paragraph at large.*

*Vide the Entry in Domesday-Book concerning Sutton held by Spirites of Nigell, fo. 183.*

**R**ichard, by the Grace of God, King of England, Duke of Normandy and Aquitain, and Earl of Anjou: To the Archbishops, Bishops, Abbots, Earls, Barons, Juſtices, Sheriffs, and all his Miniſters and faithful Subjects of all England, Greeting. Know ye, that the Brothers *Hospitallers* of *Jerusalem* and all their Goods and Poſſeſſions are in our Cuſtody and Protection; We receive alſo into our Cuſtody and Protection *Fryar Thomas* of *Dinmore* and his Brethren, and all their Goods and Lands and Poſſeſſions, and their Place of *Dinmore*, which by their Conſent We have granted to the aforeſaid Brothers *Hospitallers* of *Jerusalem*, together with one Caroe of Land, as the ſame was admeaſured to them by lawful Knights of the Country

*Vide the Copy of this Grant of R. 1. to the Hospitallers, No. 6. attested by the ſaid Mr. Holmes.*



Country in the Time of our Father, out of our Wood of Marden, to wit, in Length from the Assart of the Presbitery of Marden, so as the Way is assarted between our Wood, and the said our free Alms, unto the Land of the Monks of Leominstre of the Hope; and in Breadth from the aforesaid Way unto Coleweye: And therefore We Will and strictly Command, that the aforesaid Brothers, Hospitallers of Jerusalem and their Place of Dinmore, with the aforesaid Carve of Land, with all their Appurtenances in Woods and Plains, and the aforesaid Fryar Thomas Founder of that Place, and his Brethren, and all their Goods, and Lands, and Possessions, You do keep, protect, maintain, and defend as our own Demesnes, doing to them no Wrong, or Contumely, or Grievance, nor suffering any to be done by any other; but if any one to them in any Thing Hurt shall do, that you shall to them without Delay, fully cause amends to be made: And especially We enjoin our Men of Marden, that Peace to them you cause to be had, that they be not impleaded for any Tenement which they hold in Demesne unless before Us or before Our chief Justice.

Vide in Leyland's Survey a Copy of this Grant of King John.

Further by Grant of King John, *primo Regni sui*, reciting that several Persons had given Lands to the said Priory of St. John's at Hereford, and particularly that the said Fryar Thomas and his Brethren had given to the said Priory the said Place of Dinmore in the Wood of Marden, the said King John by his said Grant confirms the said Land to the said Priory. . . . Vide the Grant.

Vide in Leyland's Survey a Copy of this Grant of King John.

And by another Grant of King John in the same first Year of his Reign, the King grants and confirms to the said Priory, by the Name of the Brothers of the holy Hospital of Jerusalem, all Gifts of Lands Men and free Alms to them from his Predecessors, or from others in the future, or himself in present given or in future by Kings, or the Liberality of others to be given or any other Ways acquired, as well in Churches as in worldly Goods and Possessions. And the King wills and commands, that the said Brothers, all their Men, Possessions, and free Alms, should have and hold with all their Liberties and free Customs. . . . Vide the Grant.

Vide the Grant of 7 R. 2. No. 6. of Confirmation to St. John's Hospital, attested by the said Mr. Holmes.

By Grant of Richard 2. in the 7th Year of his Reign; reciting a Grant of Ed. 1. which recites, *That it was found by Inquisition, that the Prior and Brethren of the Hospitall of St. John of Jerusalem, and their Predecessors have used to have free Chace in all their Lands, and a Court for their Tenants in all their Lands, and all Amends for Trespasses committed by their Tenants, except Judgment for Life and Limb; and also all their foreign Tenants called Expeditors, free from all Services due from the chief Lord; and those Expeditors if they were Villains*



villains might not be marked with the Hospital Mark (which is a white Cross) without the Will of the Lord; and if they were licensed so to do they became enfranchised, saving to the Lord their Services; and that those Expeditors might also mark their Sons with the said Mark, without the Licence of the Lord, and that the said Prior and Brethren used to have Leyrwite of the Daughters of their Expeditors dwelling within the Lands of the Hospital, and the Moiety of Leyrwite of the Daughters of their Foreign Expeditors; and that they likewise used to have the third Part of the Goods of their foreign Expeditors upon their Decease; and the Moiety of all Amerciaments of the said Expeditors wheresoever they are amerced; and that the said third Part and Moiety used to be received without Licence of the Sheriff or Bailiffs, except those that belong to Judgment of Life and Limb; and likewise that they used to have of every House in Wales, one Penny per Ann. if the Inhabitant was worth ten Shillings, and to distrain for that Penny if need required.... The said Grant of E. 1. confirms the said Usages and Liberties to the said Hospital. . . . The said Grant of R. 2. also recites, that E. 3. by his Grant dated 8 July 18 Regni sui Angliæ and Franciæ, 5<sup>o</sup> had confirmed the said Grant of E. 1. . . . And the said Grant of R. 2. also ratifies the said Grants of E. 1. and E. 3. and also grants and confirms to the said Hospital the said Usages and Privileges. *Vide* the said Grant of R. 2.

It is to be observ'd in this Grant, that thereby is granted to the said Hospital the third Part of the Goods of their Foreign Expeditors upon their Decease (which obtain'd the Name of Thirldings, and is now called by that Name) and also thereby is granted the Moiety of all Amerciaments of the said Expeditors, to be received without Licence of the Sheriff; and further, that when the Hospitalers enfranchised any of the Villains, there is a saving to the Lord of their Services. . . . Whereby it appears, that only the said Thirldings and Moiety of Amerciaments were granted to the Hospital, and that the rest of the Services of the Tenants were reserved and remained to the King.

Which several Grants before mentioned, and also several other Grants of succeeding Kings, whereby other Kings succeeding them allowed and confirmed the said Grants. . . . Appears by Grant of the 16 Maij 2. H. 8. Whereby the Grants and Confirmations of the Kings preceding him, the said H. 8. to the said Hospital of St. Johns at Hereford, are by him allowed and confirmed. *Vide* the Grant.

*Vide* in Leyland's Survey a Copy of the said Grant of H. 8.

D

That



*Vide Leyland's Survey, wherein the same are particularly mentioned and described.*

That these Possessions and Privileges in the said Grants mentioned, were used, possessed, and enjoyed, by the said Hospital of St. John's at Hereford. . . . appears by a Survey taken by *Leyland* 20 H. 7. in which the said Manor of St. John's at Hereford, Lands, and Men of Hereford, together with the Courts Leets and Baron there held for the same, are particularly mentioned to be the Possessions of the said Hospital.

*Vide in Leyland's Survey Copies of such Licences.*

This further appears by the Licences or Warrants given by the Priors of the said Hospital to their Tenants, which recites the several Liberties and Privileges granted by the Kings, as aforesaid, to the said Prior throughout the Realm of *England*; which Licence is directed to all Sheriffs, Mayors Bailiffs Stewards, Constables, and all other Officers and Ministers of the King; and requires such Officers to suffer his the said Prior's Tenant (naming him) unto his Commandery of *Dinmore* in the County of *Hereford* to enjoy the Liberties thereof, according to the Tenor of the King's Grants aforesaid. . . . Which Licence is contained in the said *Leyland's Survey*. . . . *Vide* the said Survey Book.

The Customs by the said several Grants before mentioned granted, which Customs are particularly mentioned in the said Survey of *Leyland*, are at this Day used in the said Manor of St. John's (amongst others) every one of the said 103 Men, both within and without the City, are obliged to mark their Houses with a white Cross over the Door, as a Mark that they are not subject to the Jurisdiction of the City; and such of them as neglect to have such Mark, are presented for the Default in the Court of the said Manor held in the Hospital Hall, which was the usual Place of holding the Court in the Prior's Time, and are amerced for such Default each 6 s. 8 d. by the Steward of Earl *Comingesby* to this Day.

*Vide the printed Statute Book 32 H. 8. cap. 24.*

And as the same Manor, Lands, Men of *Hereford*, and other Royalties, Customs and Privileges had continued in the Possession of the said Hospital during the Succession of several Kings, as aforesaid: So the same continued in their Possession, till by Statute of 32 H. 8. particularly made concerning the Possessions of St. John of *Jerusalem*, the Hospital Mansion House and Church with its Appurtenances near *London* in the County of *Middlesex*, called the House of St. John's of *Jerusalem* in *England*, and all Castles, Manors, Lands, Tenements, Liberties, Franchises, Privileges, Parsonages, and all other Possessions, (and particularly the Manor of the Hospital of St. John's of *Jerusalem* at *Hereford*, with the Services of the 103 Men, and the Scite of the said Manor, called the *Black Fryars*, and other Tenements



[ II ]

Tenements there) which belonged to the said Hospital of St. *John's*, are vested in the King, his Heirs and Successors. . . . And it is thereby enacted, that the Possessions and Privileges granted to the King by the said Act should be in the Survey and Governance of the Chancellor and other Ministers and Officers of the Court of Augmentation of the Revenues of the King's Crown, for that Purpose, erected by the said Act.

But although the said Court of Augmentations was established by the said Statute of 32 H. 8. yet the King did not grant any Letters Patents to use the same till the last, (*viz.*) the 38th Year of his Reign. Which is the Reason, that we do not find the Lands and Possessions of the Hospitallers accounted for in any other Court, nor in the said Court of Augmentations till the 1 E. 6. where we find that the first Account taken in the said Court relating to the Possessions of the said Hospitals at *Hereford* is in the said first Year of E. 6. for one Year ending at *Michaelmas*....Which Account expresses....That there were no Arrears because it was the first Accompt after the Erection of the said Court....And in that Accompt the Bailiff accounts for the Lands and Possessions of the Lordship and late Preceptory of *Dynmore*, late belonging to the Hospital of St. *Johns* of *Jerusalem*....*Viz.* For the Scite of the Preceptory of *Dynmore* and 100 Acres of Land, 17 Acres of Pasture, and 12 Acres of Meadow call'd, *The Demesne Lands*, and a Water-Mill upon the River of *Lugg*, and another upon the *Shottebrooke* in *Wellington*, and the Tithes of three Fields called *Adfores Fields* in *Dynmore*, and a Moor called *Adfores Meadow* in *Dynmore*, lately demised to *Richard Dauncie*, by Indenture under the Seal of the Court of Augmentations, dated 3 *Martii*, 33 H. 8. for 21 Years at the Rent of 12 l. 10 s. 2 d. And in and by the said Indenture the King did covenant with the said *Dauncie* to indemnify him against all Charges issuing out of the said Premisses, except the Rent reserv'd....And likewise Accounts for the Firm of the Free Chapel at *Westerston*, and seven Acres of Meadow call'd *St. Johns Ground* in *Whittearden* in the Parish of *Marden*, and the Capital Messuage and the Lands thereto belonging in *Bowley*, and a Ridge call'd *Bushe Leese* at *Frere Mylne* in Lease to *Alexander Haywarth* and *Agnes* his Wife, by Indenture under the Common Seal of the Prior, dated 30 *Maii* 28 H. 8. for 50 Years at the Rent of 4 l. 2 s. 4 d.

*Vide* the Copy of the Account of 1 E. 6. In the Augmentation Office, No. 7. attested by *J. Whitehead* Clerk there.

And the Bailiff likewise accounts for the yearly Rent of 1 l. 7 s. 7 d. ob. issuing out of the Manor and Rectory of *Sutton St. Michael* to be paid by *Hugh Apparee*.

This Manor and Rectory of *Sutton* was granted to the said *Hugh Apparee* and his Heirs at the said Rent by H. 8. An. 35. *Vide* the Copy of the Grant out of the Roll's Chapel, attested by the said Mr. *Rooke*, No. 7.

And also accounts for Perquisites of Courts, *viz.* 35 s. for the Perquisites of a Court held at *Frere Mylne* aforesaid, 26 *July*, 1 E. 6.



1 E. 6. whereof for Amerciaments 12 d. and for the Custom call'd *Thirdlings* 34 s. and 12 s. 4 d. for the Perquisites of a Court held at *Leonhales*, 18 July 1 E. 6.

That the Scite of the Castle of *Hereford*, which is now ruinous, and a Piece of Ground call'd the *Barbican* alias the *Barginham* thereunto adjoining, is within the Parish of *St. Johns*, the same Parish in which stands the Hospital of *Hereford*, and is not, nor was not belonging to the Jurisdiction of the City of *Hereford*.....As appears by two Surveys taken, one of the Castle in the Year 1650. and the other of the Piece of Ground call'd the *Barbican*, in the Year 1652. and which mention the same to be in the said Parish of *St. Johns*.....And in the said Survey it is mentioned, That the said Castle was then a Garrison, and under the Command of Lieutenant Col. *Rogers*, which was *Wroth Rogers* Governor of *Hereford* in the Time of *Oliver Cromwell*.....And likewise in the said Survey of the Piece of Ground call'd the *Barbican*; it is mention'd, that it was claimed to be holden by one *Bryan Newton*, by Vertue of a Lease granted to him from the City of *Hereford* for divers Years then to come, and unexpired under a yearly Rent: But the Claim was not allow'd, forasmuch as no Evidence was produced to make good the Claim of the said *Newton* or of the City of *Hereford*....Which is a very sufficient Proof that the said Castle and Piece of Ground is not within the Jurisdiction of the City of *Hereford*, but is within the Parish of *St. Johns*.

Note.....That in the abovesaid Surveys the Trustees therein mention'd, return that the said Castle of *Hereford* and Piece of Ground called the *Barbican*, were Parcel of the Lands and Possessions of King *Charles* 1. and given them in Charge to survey the same in Order for Sale, pursuant to an Ordinance of Parliament made for Sale of the King, Queen, and Prince's Lands, and that the same were then in the Possession of the Commonwealth.

The said Possessions belonging to the said Hospital of *St. John's* at *Hereford* being so vested in the Crown, remained in the Crown till Queen *Mary* 2. Dec. 1. *Regni sui*, granted to *Jane Russell* the Scite of the Preceptory of *Dinmore*, which is the same as was granted to Fryar *Thomas* by *H. 1.* and afterwards by his Consent to the Hospital of *St. John* at *Hereford* by *R. 1.* and in the foregoing Account of 1 E. 6. mentioned to be in Lease to *Dauncy*, to hold to the said *Jane Russel* for her Life, Remainder to *Edward Russel* her Son for his Life, Reversion after their Deceases to the Queen her Heirs and Successors.

By Stat. 1. M. Sess. 2. cap. 10. Power was given to the Queen to dissolve the Court of First-Fruits and Tenths, and also the Court of Augmentations. . . . And accordingly the Queen by Letters

Vide the Survey in 1650 in the Surveyor General's Office of the Castle of *Hereford* then in Garrison under Coll. *Rogers* Governor of *Hereford* under *Oliver Cromwell*, No. 25, attested by *J. Cartwright* Clerk there, and that in 1652 of the Ground, called the *Barbican*, No. 25 in the Augmentation Office, attested by

This Grant from *Q. M.* to *Jane Russel* is recited in *Q. Eliz.* Grant to *Woolridge*. Vide the Copy, No. 10. taken out of the Chapel of the Rolls, and attested by *William Rooke* Clerk there.

Vide Stat. 1. M. Sess. 2. cap. 10. in the printed Book.



Letters Patents in the same first Year of her Reign dissolved the said two Courts.

Afterwards Queen *Mary* marrying with *Philip* King of *Spain*, an Act of Parliament was made *primo & secundo* P. & M. to divest the Crown of the Supremacy, and to restore it again to the Pope. And by that Act, Sect. 52. Any Persons may give Lands to spiritual Houses.

*Vide Stat. 1 & 2 P. & M. cap. 8. in the printed Statute Book.*

And by another Act of 2 & 3 P. & M. cap. 4. First-Fruits and Tenths, and the Revenues of all Parsonages impropriate, Glebe Lands, Tithes, Oblations, Pensions, Portions, and other Profits Ecclesiastical, which were vested in the Crown by Stat. 26 H. 8. are divested out of the Crown.

*Vide the Roll of Parliament of 2 & 3. P. & M. cap. 4. vide the Copy, No. 8. out of the Chapel of the Rolls, attested by the said Mr. Rooke.*

And by Grant of 4 & 5 P. & M. The Priory and Hospital of St. *John* of *Jerusalem* is again erected, and the said Grant (reciting the aforesaid Grant to *Russell*) grants to the said Prior, and his Brethren of the Hospital at *Hereford*, the Reversion of the said Premises granted to *Russell* for Life; and the said Scite of the late Preceptory of *Dinmore*, and two Water-Mills upon the Rivulets of *Lugg* and *Shottesbrooke*, and the Demefne Lands of the said Preceptory of *Dinmore*, and the Manors of *Wombridge*, *Callowe*, and *Temple-Court* lately belonging to the said Preceptory, and the free Chapel of *Wisterston*, and the Meadow called St. *John's* Meadow in *Whitwarden*, and the capital Messuage and Lands in *Bowley*, and the Ridge called *Bush Leeze* at *Freremill*, and also the Hospital of St. *John* in *Widmerstreet* in the Suburbs of the City of *Hereford*, with the Oblations of the Chapel there, and a Meadow called *Hospital* Meadow.

*Vide the Copy of the Grant of P. and Mary for restoring the Priory of Dinmore, No. 9. out of the Chapel of the Rolls, attested by the said Mr. Rooke, all which Chapel of Wisterston, and Lands of Sutton were granted to Hugh Appare 32 H. 8. vide the Copy of the said Grant, No. 7, attested by Mr. Rooke.*

By Act of 1 *Eliz.* cap. 1. The said Act of 1 & 2 P. & M. which restores the Supremacy of the Pope is repealed, and the Pope's Supremacy abolished, and all Ecclesiastical Jurisdictions re-established in the Crown.

*Vide Stat. 1. Eliz. cap. 1. in the printed Statute Book.*

And by another Act of 1 *Eliz.* cap. 4. reciting the said Stat. of 1 M. and that she had by Vertue thereof dissolved the Courts of First-Fruits and Augmentations, and also reciting that the said Revenues had been answered to H. 8. E. 6. and Queen *Mary* herself to the great Augmentation of the Revenues of the Crown, which altho' she knew to be true, yet she upon certain zealous and inconvenient Respects, not politickly weighing the Matter, nor having due Regard to the Maintenance of the Crown, procured an Act to be made 2 & 3 of the Reign of her Husband *Philip* and herself; that the Payment of the First-Fruits and Tenths, and the Revenues of the Parsonages, Glebe Lands, Tithes, &c. vested in the Crown by the Stat. 26 of H. 8. should cease and be divested out of the Crown. . . . The said Act of 1 *Eliz.* cap. 4. repeals the said Acts of 1 M. and 2 & 3 P. & M. and revives the Payment of

*Vide Stat. 1. Eliz. cap. 4. in the printed Statute Book.*



the First-Fruits and Tenths, and the Revenues of the Parsonages, Glebe Lands, Tithes, &c. And also revives the Statutes of *H. 8.* which had been repealed by the Statutes of *P. & M.*

In which said Act of 1 *Eliz. cap. 4. §. 26.* There is a saving to all Persons, Bodies Politick and Corporate, their Heirs, Successors and Assigns of all such Right, Interest, Estate, Offices, Leases, Grants, Annuities, Pensions, Fees, Corodies, Rents, and other yearly Profits and Commodities, as they ought or should have had, perceived or enjoyed of, in or by Reason of any the Parsonages, Rectories, or of any other the Premises, in Case the said former Act now repealed (*viz.* the Act of 2. & 3 *P. & M.*) and this present Act of Repeal had never been had, nor made.

And also in the said Act of 1 *Eliz. cap. 4. §. 38.* There is a Proviso, that so many of the said Rectories, Parsonages and Benefices impropriate, Glebe Lands, Tithes, Oblations, Pensions, Portions, and other Profits and Emoluments, Ecclesiastical and Spiritual, and all Rents and Profits unto the same belonging, as were before the said 8th Day of *August* in the Hands of Queen *Mary*, and within the Survey, Rule, and Order of the Court of the Dutchy of *Lancaster*, shall be again within the Order, Survey, Rule and Government of the said Court in the same Manner as it was before the said 8th Day of *August* in the 2 & 3 of the late King and Queen.

By which Statutes of 1 *Eliz. cap. 1.* and *cap. 4.* all that was vested in the Crown by Statutes of *H. 8.* and divested by Statutes of *P. and M.* are revested in the Crown. . . . In Vertue whereof the said Premises, as aforesaid, granted by *P. and M.* to their new erected Priory of *St. John's* at *Hereford* became again vested in the Crown, and also all other Persons were established in the Possessions, which they had acquired in Vertue of the Stat of *H. 8.* for Dissolution of Monasteries.

*Vide the Copy of Queen Eliz. Grant to Wulridge. No. 10. out of the Chapel of the Rolls, attested by the said Mr. Roole.*

And Queen *Eliz.* by Grant *tertio Regni sui*, reciting the Grant of Queen *Mary* to *Jane Russel* of the *Scite* of the Preceptory of *Dinmore*, and other the Lands mentioned to be in Lease to *Dauncy*. . . . The Queen in Consideration of 225 *l. 3. s.* grants the same Premises (after the Decease of *Russell*) to *John Wulridge*, and *Eliz. Wulridge* his Mother, to hold to the said *John Wulridge* and *Eliz.* and the Heirs of the said *John*, of the Queen *in Capite*. . . . In Vertue of which Grant the Descendant of the said *John Wulridge* enjoys the said granted Premises to this Day.

The aforesaid Grants contain the greatest Part of such of the Possessions of *William Fitz-Osborne*, first Earl of *Hereford*, which were given by him, or (after the same returned to the Crown by the Forfeiture of his Son *Roger de Britolio*)



*Britolio*) by the Kings of *England*, to *Priories*, or other pious Uses, from the Time of the Conquest to the 32 *H.* 8.

How the rest of the large Possessions of the said Earl *William Fitz-Osborne*, in the Beginning of this Case, mentioned to have belonged to him, and after his Son *Roger de Britolio's* Forfeiture to *Roger de Lacy* at the Time of the grand Survey in *Domesday-Book*, were disposed of; and to whose Possessions the same from time to time came, and in what Manner, until the same came to the Possession of the present Earl *Coningesby*, the present Proprietor thereof next follows.

*Here follows what is recorded in Domesday-Book, relating to the Manor of Marden, and also to the Manor of Lene in the very Words of the Book.*

Herefscire.

Greitrewes Hundred.

Terra Regis.

The King holds *Maurdine*, King \* *Edward* held it, there are many † *Hides*, but only two of them pay the \* *Geld*, this Land is divided among many Persons, the King hath in *Demesne* three † *Carves*, and twenty five *Villains*, and five \* *Borderers*, and two who look after the *Oxen*, and four *Bondmen*, and four † *Colliberts*; between all those are twenty one *Carveds*, there is a *Mill* rendering twenty *Shillings* and twenty five *Stiches* of *Eels*; the *Wood* yields twenty *Shillings*, there is a *Fisbery* paying no *Rent* from the *Salt-Pits* in *Wich*, there are payable nine *Horse Loads* of *Salt*, or nine *Pence*, eight † *Servants* of the King hold Seven *Carves*.

Of this Manor, *William* Son of the *Norman* holds three *Hides* wanting one *Rod* of Land, and *Norman* the *Hogherd* holds half an *Hide* of this Manor; and Earl *William* alienated from this Manor one *Rod*, and gave it to one of the *Burgesses* of *Hereford*; and *Anschitil* holds forty *Acres* between the \* *plain Land* and the *Meadow*, which the *Reeve* of *Edward* gave his † *Parent*.

Three \* *Radchenistres* held the Land of *William* Son of the *Norman*, who could not be † separated from this Manor; nine *Shillings* issue out of this Manor, in the time of \* *Edward* it yielded nine *Pounds* in white Money; now it is valued at sixteen *Pounds*.

The King holds *Lene*, *Edward* held it, there are fifteen *Hides*, for *Demesne* are five *Carves*, and three more may be had, there are twenty one *Villains*, and nine *Borderers* holding seventeen *Carves*;

*Domesday-Book*, fo. 179.

\* King *Edward* the Confessor.

† *Hides* of Land.

\* *Geld* is Tax or Tribute.

† *Carves* or Ploughlands.

\* *Borderers* held Lands by base Tenure as to look after *Horses*, make *Hay*, &c.

† *Colliberts* were in a State between *Villeins* or *Bondmen*, holding their Lands by *Rent* or *Service* conditionally.

† *Bailiffs*.

\* *Arable Land*.

† *Kinsman*, it was his Son-in-law.

\* *Retainers* who were obliged to ride with their Lord, and also to cultivate the Lands.

† Or enfranchised.

\* The Confessor.

*Domesday-Book*, fo. 179.



Carres; there are ten Keepers of Oxen, and two Bondmen, and six Colliberts; there are two Mills yielding twenty six Shillings and four Pence, and five hundred Eels from the Wood and Pasture eight Shillings, and from the Customs, and from the Mills, from the Villains and Colliberts, issues one hundred Shillings wanting five, besides the Eels.

Ralph Mortimer holds from this Manor, as a Member thereof, Merestone, consisting of two Hides, and Roger de Lacy, a Manor consisting of two Hides, called Hope, and another Manor of one Hide called Strete, and a third Manor of one Hide named Lautone.

The said Roger holds half an Hide, which an Hogherd held in the Reign of King Edward.

\*Earl William Fitz Osborne.

Earl \* William gave this Land to Walter de Lacy, from the same Manor holds Ilbert Son of Turolde half a Virgate, which an Hogherd held, and the Land is called Alac.

In the Reign of Edward it was worth six Pounds, at present it is let to farm for thirteen Pounds and three Shillings.

As to the beforementioned five Hundreds, they are called the Hundreds of . . . Kingston . . . Bodenham . . . Burghull, Stratford . . . and Cowarne . . . of which the four first are mentioned in Domesday-Book in the very Words hereafter following. . . Cowarne is not mentioned in that Book, but was a Branch or Member of Bodenham, and by Records hereafter set forth is proved to be an hundred.

Vide the Exemplification of the Queen's Grant to the Earl of Leicester.

To these five Hundreds Earl Coningesby is intituled under the Grant of Queen Eliz. to the Earl of Leicester, as is hereafter set forth.

#### Herefcire.

#### In Greitrewes Hundred.

#### Terra Regis.

Domesday-Book. fo. 179.

The King holds Chingestone, King Edward held it, there are four Hides, in Demesne two Hides wanting one Rod, and there is one Carve, and others may be had, and six Villains with a Reeve and three Borderers, and one Smith, they have among them all six Carves, there is a Wood called Triviline which yields no Custom except Venison; in the Time of King Edward the Villains dwelling there carried the Venison to Hereford, and did no other Service.

The whole Tythe of this Manor is held by St. Mary de Cornelijs, and one Villain with one Virgate of Land.

Ilbert Son of Turolde held of this Manor two Hides for one Manor.

To



*To this Manor did belong in the Time of King Edward, one Piece of Land, Cheweshope, and the Custom of the same run in Chingestone, Roger de Lacy held it of the King.*

*To this Manor the Sheriff did appose in the Time of William Earl Wapleford: Aluvinus held this Manor, and might go to which Lord he would; there are one Hide of Land, and two Carves, there are two Villains with one Carve.*

*All this together yields to the King fifty Shillings of white Money and an Hawk.*

*The Church of St. Mary of Cormeljis holds two Hides in* Domesday-Book, fo. 182. *Chingestone and Geld in Gloucestershire, but in this Hundred they come to the Pleadings who there remain, that they may do and receive Right.*

There are in *Domesday-Book* five Entries relating to Bodenham.

First Entry. . . . *The same Roger (de Lacy) holds Bodeham* Domesday-Book, fo. 184. *and Herbert of him; Edwin held it; there is one Hide and an half pays the Geld. In Demesne are two Carves, and six Villains, and three Borderers, and a Smith, and a Beadle, and six Cottagers, with six Carves; there are six Servants, and a Mill of sixteen Shillings, and thirty Stiches of Eels, the Meadow is for Oxen only: In the Time of King Edward it was worth fifty Shillings, now sixty Shillings.*

*Vide the Exemplification of the Queen's Grant.*

This is the Hundred and Manor of *Bodenham*, to which Earl *Coningesby* is intitled under the Grant of Queen *Eliz.* to the Earl of *Leicester*, as is herein after set forth.

Second Entry. . . . *The same Roger holds in the same Hundred, and Herbert of him, one Manor of one Virgate not paying Geld, which Edwin held together with one Carve, it was and is worth twenty six Pence.*

*Vide the Court-Rolls of this Manor, No. 24, of the first Court of Rowland Lenthall and Lady Lucy his Wife held 8 H. 6..*

This is Part of the Manor of *Hampton-Richards*, now called *Hampton-Court*, the Seat of the present Earl *Coningesby*, which was given by *H. 6.* after he became King, to one *Lenthall* who married his Kinswoman, *Lenthall* sold it to one *Cornwall*, who sold it to Earl *Coningesby's* Ancestor in the latter End of the Reign of *H. 5.* or Beginning of the Reign of *H. 6.*

Third Entry. . . . *The same Roger holds one Hide of the Firm of Maudin the King's Manor, Ingelran held it of him, in Demesne are two Carves and four Villeins, and one Borderer with two Carves, there are three Servants in the Time of King Ed-*



ward, and afterwards it was worth forty Shillings, now sixty Shillings, Edwin held it.

Vide the Purchase Deed to Sir Tho. Coningesby.

This is the Manor of *Bodenham Furches*, to which Earl Coningesby is intituled by being sold to Sir *Tho. Coningesby*, great Grandfather to the Earl by Sir *Thomas Lucy*, 25 *Eliz.* and in the Earl's Possession it is now. . . .

Domesday-Book, fo. 186.

Fourth Entry.... *Osborne the Son of Richard holds Bodeham, and...held it, there is one Hide and an half which pays the Geld, in Demesne are three Carves, and six Villains, and a Smith, and two Borderers, and a Priest, and one Radman with eight Carves among them all. In the Time of King Edward it was worth sixty Shillings, now forty eight Shillings.*

Vide the said Grant of P. and M. to Humphry Coningesby.

This is the Manor of *Bodenham Regis*, to which Earl Coningesby is intituled by Grant of the Crown 4 and 5 P. and M. to *Humphry Coningesby* Father to Sir *Thomas Coningesby* the Earl's great Grandfather.

Domesday-Book, fo. 186.

Fifth Entry... *The same Osborn holds Lude and Roger deLacy of him, Saifi held it, there are two Hides pay the Geld: In Demesne are two Carves and one Villain, a Reeve and a Smith, with two Carves: It was worth twenty five Shillings, now thirty Shillings.*

Hereff Scire.

Terra Aluredi de Merleberge.

In Cufestorn Hund.

Domesday-Book, fo. 186.

*The same Alured holds Burgelle; Earl Herald held it, there are eight Hides pay the Geld. In Demesne are two Carves, and sixteen Villains, and nineteen Borderers, and a Priest, with twenty three Carves; there are four Servants, and a Mill of twenty Shillings, and twenty five Stiches of Eels; the Wood yields four Shillings, in Hereford five Burgeses pay to this Manor fifty two Pence.*

*In this Manor two Knights have two Carves, and two Ox-keepers, and Godrick a certain Thane, hath one Carve, and a certain other hath one Villain.*

*In the Time of King Edward there did belong to this Manor the third Penny of the two Hundreds of Stradford and Chiftestornes, then it was worth twenty Pounds, now fifteen Pounds.*



*The same Alured holds Hope and Richard of him; Earl Herald held it, there are five Hides which pay the Geld. In Demesne are two Carves and an half, and seven Villains, and a Priest, and fifteen Borderers with five Carves and an half; there are five Oxkeepers. In the Time of King Edward it was worth eight Pounds, now six Pounds.*

*These two Manors Osborn the Uncle of Alured held in the Time of King Edward, when Godwin and Herald were banished.*

*Vide Newmarck's said Grant in Monastic. Anglie. vol. 1. fo. 320. and first printed Case, 258.*

In the fourth Entry in *Domesday-Book* relating to *Bodenham*, is mentioned a Prefbyter, as is also in this Entry relating to *Burghill*; by which is meant the Rectories of *Bodenham* and *Burghill*, which were given by *Bernard de Newmarck* to the Priory of *Brecon*, a Member of the Priory of *St. John of Jerusalem*. . . *Vide* the Deed of Gift. . . And upon the Dissolution of Abbies 32 H. 8. were taken into the King's Hands, and re-united to the Dutchy of *Lancaster*, in Vertue of the last Clause in the Statute of H. 5. after mentioned.

*The same Alured holds Stratford, Earl Herald held it; there are two Hides pay the Geld, Gislebert holds of Turstin, and Turstin of Alured. In Demesne there is one Carve, and one Villain, and four Borderers with half a Carve, and three Carves may be had; there are three Servants, and the Meadow yields three Shillings; there is a Wood, in the Time of King Edward it was worth thirty Shillings, now twenty Shillings.*

We have also a Copy of *Domesday-Book* containing the said five Hundreds in the same Character that the Book is written, No. 22, attested by *John Lawton* and *Pat. Leslie*, Deputy Chamberlains of the Tally-Court.

The Courts of all these five Hundreds are now held by Earl *Coningesby*, in Vertue of his Title thereto herein after set forth.

The said Castle of *Hereford*, Manor of *Hampton-Richards*, now call'd *Hampton-Court*, Manors of *Marden* and *Lene* alias *Kings-lene*; and the said five Hundreds being, as aforesaid, vested in the said Earl *Humphry de Bohun*, in Right of his Wife *Margaret*, Daughter and Heir of *Miles Fitz Walter*, the said Premises descended to his Grandson *Henry*, created Earl of *Hereford* by King *John*, and the same continued in a Succession of several Earls of *Hereford*, until the last Earl of that Family, which was *Humphry de Bohun* Earl of *Hereford*, *Essex* and *Northampton*, who dying without Issue Male, the said Premises descended to his two Daughters *Eleanor* and *Mary*.

*Vide* the Charter of the Creation of *Henry de Bohun* Earl of *Hereford*, "Primo Regis Johannis, No. 3. and the Earl's Deed of Exchange with the King, in Consideration whereof he was made Earl, No. 4. attested by the said Mr. Holmes.

The



*Vide the Inquisition post Mortem of Humphry de Bohun, last Earl of Hereford of that Name, No. 11. out of the Tower, attested by the said Mr. Holmes.*

The said Earl died 16 Jan. Anno 46 Ed. 3. And by the Inquisition taken after his Death of what Possessions he held in the County of *Hereford*, it is found that he held of the King in *Capite* in his Demesne as of Fee, A yearly Rent of 20 l. to be receiv'd of the King in the Castle of *Hereford*, by the Hands of the Sheriff, by Service of Barony; and that he held of the King in Chief in his Demesne, five Hundreds in the County aforesaid, by Service of Barony, viz. the Hundred of *Bodenham*, the Hundred of *Magna Cowern*, the Hundred of *Kingston*, the Hundred of *Burghull*, and the Hundred of *Stratford*; and that he held of the King in chief in his Demesne, by Service of Barony in the Marches of *Wales*, adjoining to the County of *Hereford*, the Castle of *Hay*, the Castle of *Huntingdon*, and the Castle of *Caldecote* and *Newton*. And that the said Earl died 16 Jan. 46 E. 3. And that *Eleanor* of the Age of 7 Years, and *Mary* of the Age of 3 Years, Daughters of the said Earl are his next Heirs. *Vide the Inquisition.*

*Vide the said Account of 10 E. 3. No. 12. out of the Dutchy Office, attested by the said Mr. Ayleffe.*

When the said five Hundreds were in the Possession of the said last Earl of *Hereford*, they were Parcel of the Dutchy of *Lancaster*; as appears by an Account now remaining in the Dutchy Office, and made in the 10 E. 3. wherein the said Hundreds, and the Castles aforesaid are accounted for.

The said Earl's two Daughters were married; *Eleanor* to *Thomas* of *Woodstock*, Duke of *Gloucester*, who was sixth Son of King E. 3. and *Mary* to *Henry* of *Bolingbroke*, Son of *John* of *Gaunt*, fourth Son of King E. 3. which *Henry* of *Bolingbroke* was afterwards King of *England* by the Stile of King *Henry* 4.

The Earldom of *Hereford* with the Fee, the Castle of *Hereford*, five Hundreds, and other the Castles aforesaid in the County of *Hereford* adjoining to the Marches of *Wales*, came to the Share of H. 4. in Right of his said Wife.

*Vide the Copy of the Roll of Parliament of 2 H. 5. No. 2. wherein the said Charter of H. 4. is recited and confirmed, and a Copy of the said Charter of H. 4. No. 13. both attested by Mr. Holmes.*

King *Henry* 4th. as soon as he had gained the Crown of *England*, by his Charter by Authority of Parliament, in the first Year of his Reign, doth sever the Possessions of the Dutchy of *Lancaster* from the Crown; and that which *John* of *Gaunt* held for Life is established for ever, especially by the Statutes of 2 H. 5. and 1 H. 7. . . . hereafter mention'd: And this Separation H. 4. made (as is observ'd by my Lord *Coke* in his Institutes, where he treats of the Court of the Dutchy of *Lancaster*) for that he knew he had the Dutchy of *Lancaster* by sure and indefeasible



defeasible Title, and that he could not be both King and Duke, but especially that his Title to the Crown was not so assured; for that after the Decease of *R. 2.* the Right of the Crown was in the Heir of *Lionel* Duke of *Clarence*, second Son of *E. 3.* *John* of *Gaunt*, Father of *H. 4.* being the fourth Son; and therefore intended not that by the Law of the Crown, the Dutchy should go with the Crown, and that he should be seised thereof in Right of the Crown.

This Charter of *H. 4.* was confirmed by the Statute of 2 *H. 5.* hereafter mentioned, by which Stat. also the Estate which came to *H. 5.* by his Mother *Mary*, Daughter of Earl *Humphry de Bohun*, was annexed to the Dutchy.

The said *Mary's* Part of her said Father's Estate descended to King *H. 5.* as her Son and Heir. And the Castle of *Hereford*, Manor of *Hampton-Richards*, now called *Hampton-Court*, and the said five Hundreds came to his Share, and were possessed by him and his Son *H. 6.* till they descended to the Duke of *Bucks*, as herein after is mentioned.

That the said five Hundreds were so possessed by King *H. 5.* and were Parcell of the Dutchy appears by an Account now remaining in the Dutchy Office, which was taken 1 *H. 5.* and is for two Years; one in the Time of *H. 4.* and the other in the Time of *H. 5.* And being previous to the Act of 2 *H. 5.* hereafter mentioned, which annexes the Estate, which came to the King from his Mother to the Dutchy; and it appearing by the Inquisition *post Mortem* of Earl *Humphry de Bohun* beforementioned, that he was seised of the said five Hundreds, and that the same descended to the King's Mother, is a plain Proof that the same Hundreds, together with the eighteen Manors in that Account mentioned (which are the same Manors that are mentioned in the last Article of *Domesday-Book* relating to the 103 Men) were by the said Act of 2 *H. 5.* annexed to, and now are Parcel of the Dutchy.

*Vide the Court-Rolls,  
1 H. 5. No. 24.*

The said Account is as followeth.

Q

The



*Vide the Copy of the said Account of William Boteler, No. 14. out of the Dutchy Office, attested by the said Mr. Ayloffe.*

*The Accompt of William Boteler, Bailiff of the Fees and Liberties of our Lord the King of England, of his Inheritance of the Earldom of Hereford, in the County of Hereford, from the Feast of St. Michael, in the 12th Year of King H. 4. unto the same Feast of St. Michael, in the first Year of the Reign of King H. 5. for two whole Years.*

Rents of Assize.

*Arreares none.*

Rents of Assize. . . . *The Accomptant answers for 4 s. 8 d. for Rents of Assize of the free Tenants at Cowerne at the Term of Easter and Michaelmas for the Time of the Account at 2 s. 4 d. per Annum. . . . And for 8 d. for a Pound of Cinnamon per Annum for Rent there, to be sold for the Time of the Account for per Annum 4 d. . . . And of 2 s. at 12 d. per Ann. for the Rent of John Wallthe for a Croft called Berdescroft. . . . And of 8 d. at 4 d. per Annum, for the Rent of Roger Carles for a Piece of Land near the Hall End in Cowerne, so to him demised for Term of Life. . . . And of 4 d. at 2d. per Annum for the Rent of John Mareende for Parcel of a Garden so to him granted for Term of Life. . . . And of 2 s. at 12 per Annum for the Rent of John Attehull for his Lands in Bodenham, payable at the same Termes for the Time of this Account. . . . And of 2 d. at 1 d. per Annum, for the Rent of Alice Hode for her Tenements there, as appears by the Rolls of the Hundred of Bodenham of the 17 of King Richard at the same Termes. . . . And of 6 d. at 3 d. per Annum, for the Price of a Capon for Rent at Cowerne for the Time of the Account per Annum 3 d. . . . Of 2 d. per Ann. for Rent of Walter Devereux Knight, issuing out of his Manor of Bodenham for the Assize of Bread and Beer to be had of his Tenants there of the Fee of Brecon, the Accountant answers not here, because the Receiver of Brecon is charged with it in his Account in the Title of Rents of Assize. . . . And of 2 d. at 1 d. per Ann. for the Rent of Richard Pyckying for his Tenements at Bodenham payable at the same Termes.*

*Sum 11 s. 2 d.*

Firm of the Hundreds with the Perquisites of the Hundreds.

*And of 13 s. 4 d. at 6 s. 8 d. per Ann. for the Firme of the Hundred of Burghull so demised to John Aynesford Knight, for Term of his Life by Indenture, dated at London 7 Febr. in the 20th Year of the Reign of King R. 2. for the Time aforesaid, And of 28 s. 8 d. for Perquisites of eight Hundreds, held at Cowerne, Kyngeston, and Stretford for the Time aforesaid, as appears in the Rolls of the same, produced and examined upon this Account. . . . And of 20 s. at 10 s. per Ann. for the Firme of the*



the Hundred of Bodenham so demised to Walter Devereux Knight, by Hugh of Waterton Knight, for the Time aforesaid.  
Sum 61 s. 8 d.

Reliefs none.

Of Wards and Marriages nothing for the Time of this Account. Wards of Lands with Marriages.

Sum nothing.

Sum Total of the Receipts 72 s. 10 d.

Of which he accounts for the Fee of him the said Accountant Expences . . . . .  
for his Office per Ann. as is allowed in the preceeding Accompts  
by the Year 26 s. 8 d. so for the Time of this Account 53 s. 4 d.

Sum allowed 53 s. 4 d. and he owes 19 s. 6 d. with which  
he will stand charged in his next Account of the  
Year following in the Title of Arrears.

Of 50 s. for a Relief of the Earl of Ormond for half a Knights Fee in Laftres in the County of Hereford . . . Of 50 s. for Relief of John Mortimer for half a Knights Fee in Tetersterne Wafer . . .  
Of 100 s. for a Relief of Herbert Malonhin de la Mare for a Knights Fee in Tetersterne de la Mare . . . Of 50 s. for a Relief of Richard de la Bere for half a Knights Fee in Stretford . . . Of 100 s. for a Relief of Thomas Lucy for a Knights Fee in Kyngefton . . . Of 50 s. for a Relief of the Heirs of Thomas Clanowe Knight, for half a Knights Fee in Hergast . . . Of 100 s. for a Relief of Walter Deverose for a Knights Fee in Mockas and Sutton . . . Of 10 l. for a Relief of Edmund Earl of March for two Knights Fees in Presteinde . . . Of 50 s. for a Relief of the Heirs of John Poynes for half a Knights Fee in Therleston . . . Of 10 l. for a Relief of the Heirs of Peter de la Mare for two Knights Fees in Little Herford . . . Of 50 s. for a Relief of the Heirs of John Pychard for half a Knights Fee Skaterok . . . Of 50 s. for a Relief of the Heirs of Thomas Petevyn for half a Knights Fee in Petevenescastell . . . Of 50 s. for a Relief of Edmund Earl of March for half a Knights Fee in Little Freynd . . . Of 50 s. for a Relief of the Heirs of Hugh Monyngton for half a Knights Fee in Hulle in the County of Hereford . . . Of 50 s. for a Relief of the Heirs of Richard de la Bere for half a Knights Fee in Hopton Habernull . . . Of 50 s. for a Relief of Thomas Curiall, Jenkyn ap Watkin, Jenkyn ap Gilberd, William ap Hoell, Vaghan and Kylwyban Towgoit, for half a Knights Fee in Aly Saundreston . . . Of 100 s. for a Relief of Robert, Son and Heir of Robert Whytney for a Knights Fee in Whytney . . . Of 50 s. for a Relief of John Mortimer for half a Knights Fee in Penketheley.

The Charge of Willi, am Boteler Bailiff of the Honour of Hereford.

Vide Domesday-Book, fo. 179. In the last Article of the Customs relating to the 103 Men, where it is mentioned, there were 18 Manors in Heref. who paid their Farms to the King. Which are the same 18 Manors which are here enumerated in this Account.

And for further Proof that the said five Hundreds were so possessed by H. 4. H. 5. and also by his Son H. 6. appears by many other Accounts of their Bailiffs in their Times, now remaining in the Dutchy Office, viz. two Accounts of the 11 & 12 of H. 4. one of the 2d of H. 5. And besides these, there is one  
of

Vide the Copies of the said four last mentioned Accounts out of the Dutchy Office, attested by the said Mr. Ayloff.



one of the 4th and 5th P. & M. Vide No. 14. and by other Records.

Vide the Copy of the said Roll of Parliament of 2 H. 5. No. 2. attested by Mr. Holmes.

1. Confirms the Stat. of H. 4. for separating the Dutchy of Lancaster from the Crown. Vide the Copy of the said Stat. of H. 4. No. 13. attested by the said Mr. Holmes.

And confirms the Liberties which had been granted to the Dutchy by E. 3. and R. 2.

And annexes to the Dutchy the Estate which descended to H. 5. from his Mother.

By Roll of Parliament 2 H. 5. Reciting that H. 4. by Roll of Parliament primo Regni sui, had separated from the Crown, the Dutchy of Lancaster, and his Honours, Manors, Fees, Possessions, and Lordships which he had by Right of Inheritance... The said Roll of Parliament of 2 H. 5. confirms the said Statute of 1 H. 4. and separates from the Crown for ever, the Dutchy of Lancaster, and all Honours, &c. which descended to the King from his Father Henry 4. his Grandfather John of Gaunt Duke of Lancaster, his great Grandfather by the Mother's Side Henry Duke of Lancaster, and his Grandmother Blanch, Daughter of the said Duke Henry, and annexes the same to the Dutchy of Lancaster, and makes the same Parcel of the said Dutchy.

And the said Statute of 2 H. 5. also confirms all such Liberties, Royalties, Customs, and Franchises, as had been granted in the said Dutchy by E. 3. and R. 2. to John of Gaunt Duke of Lancaster for Life, and which by the said Statute of 1 H. 4. were established for ever. . . Which Liberties, Royalties, Customs, and Franchises, are recited to be as followeth, viz. That by the Grant of E. 3. his Men in the Lands and Fees which had been Henry Earl of Lancaster's, Father of Henry Duke of Lancaster, the King's great Grandfather by the Mother's Side, should be free from Pavage, Passage, Paage, Lastage, Carriage, Pesage, Picage, and Terrage, over all England. . . And by the Grant of R. 2. That John of Gaunt should have Fines for all Offences, as also Fines pro licencia concordandi, and all other Fines and Amerciaments arising upon any Account, and likewise Issues forfeited of all Tenants and Resiants in the Lands and Fees of him the said John of Gaunt, and all Forfeitures, Tear, Day, and Waste, and Estrepement, Forfeitures, and Murders, in whatsoever Court the said Tenants and Resiants should happen to make Fine, be amerced, or forfeit Issues, or wherever the said Tear, Day, Waste, and Estrepement, Forfeitures and Murders should be adjudged him in the Presence of the King, and in the Chancery, Exchequer, Common-pleas, Justices of Assise, and Gaol Delivery, and Execution, and Return of Writs, and all Waifs, Estrays, Deodands, and Treasure Trove, Goods and Chattells of Felons, and Fugitives, and Persons outlawed.

And the said Statute of 2 H. 5. Also annexes to the said Dutchy all such Honours, Castles, Hundreds, Commotes, Manors, Lands, Tenements and Possessions, which descended to him as Heir to the said Mary his Mother, in the Counties of Hereford, Essex and Northampton. . . And in the said Statute of 2 H. 5. it is thus expressed, or to this Effect. . . And likewise, that our said Inheritance of the Counties of Hereford, Essex and Northampton may be the more Magnificent, and the Tenants



and those abiding therein, more honourably and quietly treated and governed, and others more chearfully Resort to our said Inheritance, and there tarry, where they shall have diverse Liberties, Franchises and Immunities. It is ordained, That in the said Inheritance of the King, in the Counties of Hereford, Essex and Northampton, the like Liberties, Customs, Franchises and Royalties, be exercised, continued and used; and that they be ruled and governed in the same Way and Manner, and under the same Seal as they used to be ruled and governed, and as the said Liberties, Customs, Franchises and Royalties in the said Dutchy, without the County Palatine of Lancaster, used to be exercised and continued by Virtue of the Charters made thereupon; and that the Tenants and Resiants therein may enjoy the same, without the Hindrance of the Officers of the Crown.

And in the same Statute there is also a Clause to this Effect. . . . That all Ecclesiastical Benefices belonging to the same Inheritance be conferred under the Seal of the Dutchy: So that the Chancellor or Treasurer of England shall not intermeddle with the Collation, Presentation or even Visitation of such Benefices.

With a Clause, that Ecclesiastical Benefices be conferred under the Seal of the Dutchy.

And another Clause to this Effect. . . . That when ever, and as often as any Honours, Hundreds, Manors, or other Possessions, as belonging to our said Inheritances, shall come to the Hands of us, or our Heirs, on Account of our own Right, or by Reason of such Escheate, Forfeiture, Recovery, Remainder or Descent, or other Title, or any other Way whatsoever, such Honours, Hundreds, &c. shall likewise be united with one or other of our said Inheritances, to which they shall be known to belong, to be governed by the Officers, and under the Seal of the Dutchy.

And another, That when any Possessions, which had belonged to the King's Inheritances, should return to the Crown by Escheate or otherwise, the same should be united to the Dutchy. This is confirmed by the Stat. of 2 & 3 of P. & M. Vide the Copy thereof No. 21. out of the Chapel of the Rolls, attested by Mr. Rooke.

By Roll of Parliament 1 E. 4. It is enacted, That all Manors, Lands, Tenements, Rents, Services, Fee-farms and Possessions, Parcel of the Dutchy of Lancaster, or thereto annexed by the said Statute of 2 H. 5. be the Dutchy of Lancaster corporate, and be called the Dutchy of Lancaster, and that King E. 4. shall hold and inherit the same separate from the Crown. And, that all the Tenants and Inhabitants in the same Dutchy shall enjoy all such Liberties, Franchises, Privileges and Customs, as they did in the Time of H. 5. and that all Things shall be governed by the Seal of the Dutchy. . . .

Vide the Copy of the said Roll of Parliament of 1 E. 4. No. 15. attested by Mr. Holmes, which attains H. 6. and separates the Dutchy Lands from the Crown.

By Roll of Parliament 1 H. 7. it is enacted, That the King shall have, hold, enjoy and possess the County Palatine of Lancaster, and all Honours, Castles, Lordships, Manors, Lands, Tenements, Rents, Reversions, Services, Possessions, and other Hereditaments, with their Appertinances, that were Parcel of the said Dutchy of Lancaster, and in the Hands or Possession of E. 4. in the 1st Year of his Reign, or at any Time af-

Vide the Copy of the said Roll of Parliament of 1 H. 7. No. 16. attested by the said Mr. Rooke.

Which establishes the Dutchy, and the Possessions thereto annexed, to be separate from the Crown.



ter, or in the Hands or Possession of R. 3. with all Liberties, Freedoms, Franchises, and other Things as well to the said County Palatine, or to any other of the Premises appertaining or belonging; and to be governed by like Officers, and use like Seals as aforetime have been used and accustomed, in as ample and large Manner, and in like Manner and Form and Condition, separate from the Crown of England and Possessions of the same, as H. 4. H. 5. H. 6. or E. 4. had and held.

Vide the Copy of the said Roll of Parliament of 1 H. 5. No. 1. attested by Mr. Holmes. for resuming the Lands of Priors Aliens.

By Roll of Parliament 1 H. 5. It is enacted, that all the Possessions of Priors Aliens be resumed into the King's Hands.... In Vertue of which Statute the said Rectories of *Marden* and *Lene* (with others) and the Lands in *Kingston*, given by Earl *William Fitz-Osborn* to the Priory of *Cormeliis*, &c. in *Normandy* were resumed.... And in Vertue of the said Statute of 2 H. 5. were annexed to the Dutchy of *Lancaster*, as having formerly belonged to the Estate, which came to the said King by his Mother, as is aforesaid, and remain to this Day annexed to the said Manors to which they did belong, before they were given to the Abby of *Cormeliis* by the said Earl *William Fitz-Osborn*, 1st Earl of *Hereford*.

King H. 5. was succeeded in the Crown, and also in the Dutchy of *Lancaster*, by his Son King H. 6. who had issue only his Son Prince *Edward*, who dying without Issue, the direct Line of King H. 4. became Extinct.... Whereby the said Estate which King H. 5. had by his Mother, descended to the Family of the *Staffords*, Dukes of *Bucks*, in such Manner as is next herein after mentioned.

For this Pedigree vide *Dugdale's Baronage*, fo. 163, 165.

The Lady *Eleanor*, one of the two Daughters and Coheirs of Earl *Humphry de Bokun*, and who married *Thomas* Duke of *Gloucester*, as is before-mentioned, had Issue *Anne* her only Daughter and Heir, who married *Edmund* Earl of *Stafford*, who had issue, *Humphry* Earl of *Stafford*, who was created Duke of *Bucks* 23 H. 6. and died 39 H. 6. his eldest Son *Humphry* dying before him, he left his Grandson *Henry* his Heir.

Vide the Copy of the Inquisition post mortem of *Humphry* Duke of *Bucks*, No. 17. attested by Mr. Holmes.

By the Inquisition post mortem of the said Duke *Humphry*, taken at *Hereford* 30 Oct. 39 H. 6. It is found, that the said Duke died seised in Fee of the Hundreds of *Cowern*, *Bodenham*, *Stratford*, *Kingston* and *Burghill* in the said County, held of the King by Knights Service.... And also that the said Duke died seised in Fee of a yearly Pension of 20 l. to be received yearly at Easter and Michaelmas by the Hands of the Sheriff of *Hereford*, for sustaining the State of Earl of *Hereford*.... And of the Castle, Manor and Lordship of *Brecknock*, in the Marches of *Wales*, adjoining to the said County. And of the Castle, Manor and Lordship of *Hay*, in the same Marches.



*And of the Castle, Mannor and Lordship of Huntington; in the same Marches; and that the said Duke died 10 Julii then last past. And that Henry, Son of Humphry, Son of the said Duke, is next Heir to the said Duke, and on the 4th of Sept. then last past was 4 Years old.*

The direct Line of H. 4. by the Death of H. 6. and his Son Prince Edward without Issue, as is aforesaid, becoming Extinct, this Henry Duke of Bucks became sole Heir at Law both to Eleanor and Mary, Daughters of the said Earl Humphry de Bohun.

But the Stat. of 1 E. 4. before-mentioned, which attainted H. 6. and vested such Estate as was enjoyed by him and H. 5. as Parcel of the Dutchy of Lancaster, in E. 4. this Duke Henry was thereby kept from the Possession of the said 5 Hundreds, and such other Estate, as had been the said Lady Eleanor's and Lady Mary's, Daughters of Earl Humphry de Bohun, which was in Vertue of that Stat. enjoyed by the Crown; but yet as Parcel of the Dutchy. This Duke rebelled against R. 3. for which he was executed.

*Vide the Copy of the said Stat. of 1 E. 4. No. 15. attested by Mr. Holmes.*

His Son Edward Duke of Bucks, in the 13th H. 7. took up Arms on the King's Behalf against the Cornish Men, who made an Insurrection in favour of Perkin Warbeck; for which Service, in 24 of H. 7. he obtained a Grant from the King of the Castle and Town of Bredles, the Manors and Lordships of Cantreccelley, Brendleys, Penkelley and Alexanders Town, with the 3d Part of the Barony of Penkelley in South Wales, and Advowsons to the Churches appertaining to those Lordships, with such Great and the like Jurisdictions, Privileges, Liberties and Franchises, for him and his Tenants, Resiants and Inhabitants within the said Lordships, as had been antiently used there; and also, the Hundreds, Wapentakes, Comotes, Halmotes, Pleas of the Crown, Courts-Leets, and other Courts to the said Lordships belonging, to be held and kept by the Justices, Stewards, and other Ministers of the said Duke, by him and his Heirs to be made and constituted.

*Vide Dugdale's Barcnage fo. 170.*

*Vide the Copy of the Grant 24 H. 7. to Edward Duke of Bucks, No. 18. attested by Mr. Rooke out of the Rolls Chapel.*

This Duke Edward 14 H. 8. was attainted of High Treason; and the said Stat. of 1 E. 4. and 1 H. 7. having vested the Dutchy, and all the Estate which had been Earl Humphry de Bohun's, in those Kings, and there having been no Act of Parliament after passed to revest the said annexed Estate, which had been Earl Humphry de Bohun's, in the Family of the said Duke of Bucks, this Duke never possessed any Part thereof; but the same remained in the Crown, but as Parcel of the Dutchy, from the said Stat. of 1 E. 4. until exchanged by Queen Eliz. with the Earl of Leicester, as is next mentioned. . . And this appears by the Inquisition taken upon the Attainder of the said Duke Edward at Hereford 14 H. 8. which finds only, that the Duke

*Vide the Inquisition upon the Attainder of the said Duke, 14 H. 8. No. 19. attested by Mr. Rooke.*



Duke was seised of the Lordship of *Brecknock* in *South Wales*, next adjoining to the County of *Hereford*; and does not find, that he was seised of any Estate in *Herefordshire*. For this Lordship of *Brecknock* he enjoyed by another Title than that he could have to the said Estate which had been *H. 5.* in Right of his Mother, viz. under *Bertha* 2d Daughter of *Milo Fitz Walter*, who married *William de Brewse*.

*Vide* the Exemplification of this Grant in Exchange from Queen *Eliz.* to the Earl of *Leicester*, exemplified 20 *Jan.* 12 *Anno*, at the Request of the present Earl *Coningsby*. The Grant calls them *Buckingham-Lands*, because they had been in the Possession of Duke *Humphry*, Great-Grandfather of the said Duke *Edward*; as appears by the Inquisition after his Death, No. 17.

Queen *Eliz.* 9 *Jan.* 23. *Regni sui* in Exchange for the Manors of *Arnefley* and *Reveliock* in the County of *Montgomery*, *Knolle* in the County of *Warwick* and *Renlethowen* in the County of *Denbigh*, conveyed to her by *Robert Earl of Leicester*, grants to the said Earl and *John Morley Esq;* and their Heirs, (among other Things) the said 5 Hundreds, by the Names of All our five Hundreds, Liberties and Franchises, called *Bodenham*, *Burghill*, *Cowarn*, *Kingston* and *Stretford*; and also certain yearly Rents issuing out of *Cowarn*, *Bodenham* and *Burghill*. All which the Grant expresses to have been Parcel of the Possessions called *Buckingham-Lands*. And further Grants to the said Earl and *John Morley*, All Messuages, Lands, Rents-Services, Rents and Services of free and customary Tenants, Farms, Fee-Farms, Fines, Amerciaments, Courts Leet, View of Frankpledge, Perquisites of Courts, Waifs, Estrays, Chattels of Felons and Fugitives, *Felo's de se*, Persons outlawed, Villeins, Free Warrens, Wrecks, Fairs, Markets, Tolls, Customs, and all Rights, Jurisdictions and Franchises, &c. To the said Hundreds, Lordships, Manors, or their Parts or Members belonging.... To have and to hold the said Premises to the said Earl and *John Morley*, their Heirs and Assigns for ever.... To be held of the Queen, her Heirs and Successors, as of her Manor of *East-Greenwich* in the County of *Kent*, by Fealty only in Free and Common Soccage; and Grants the said Earl and *Morley* may enjoy the same in as ample Manner, as any Prior, Chantry, Priest, Incumbent, Custos, Warden, or Master of any Chantries or Guilds, or any other Person enjoyed the same, by Virtue of any Grant, or by Prescription.

The Earl of *Leicester* survived *Morley*, and after dying without issue.... The said five Hundreds, and all that was granted by the said Grant of Queen *Eliz.* descended to his Brother, *Ambröse Earl of Warwick*, who settled the same upon his Lady, the Countess of *Warwick*; and she settled the same upon *Robert Lord Viscount Lisle*, who, together with *Arnold Oldsworth*, and *Richard Danford*, his Trustees.

*Vide* a Copy of the said Indenture, dated 20 *Nov.* 15. *Ja.* 1. No. 20. from the Rolls Chapel, attested by *Robert Saunderson*.

By Indenture inrolled, dated 20 *Nov.* 15. *Ja.* 1. In Consideration of 200*l.* bargained and sold the said five Hundreds, and Premises thereto belonging, contained in the said Grant of the Queen, to Sir *Thomas Coningsby* (Great-Grandfather to the present



sent Earl *Coningesby*) to hold the same to the said Sir *Thomas*, his Heirs, and Assignes for ever.

The said five Hundreds, among other Things, were in the Year 1617. on the Marriage of *Fitz-William Coningesby* (Son of the said Sir *Thomas*, Grandfather of the present Earl) with the Daughter of *Henry* Lord *Abergavenny*, settled and entailed on the Heirs Males of that Marriage; under which Settlement the same Premisses have been ever since enjoyed, by the present Earl and his Father: And the Courts of the said Hundreds are and have been held at the usual Times, by Earl *Coningesby* and his said Ancestors, except during the Time, that the same were under Sequestration in the Hands of the Usurpers.

*Vide the Deed of Entail.*

*The Case being thus far stated, hereafter follows certain Observations, Relation of Facts, and Remarks enlarging upon it, the further, better, and more amply to illustrate and explain the same.*

**R**oger de Lacy succeeded Roger de Britolio, the Son of William Fitz Osborn, in all or most Part of the Manors and Lands belonging to the Earldom of *Hereford*, and the Great Possessions in that County annex thereto. . . . For it appears by the Grand Survey in *Domesday-Book*, which was finished in the Year 1087. that the said Roger de Lacy held at that Time 65 Manors, and several Vills and Lands, besides four Carucates of Land lying within the Limits of the Castle of *Ewias*, now called *Ewias Lacy*, all within the County of *Hereford*, of which hereafter follows a List.

But the Lands and Manors in this County continued not long in the Family of the *Lacy's*; for we find, that *Maud* the Empress, having taking King *Stephen* Prisoner, by the Assistance of *Milo Fitz Walter*, in the Year 1141, created the said *Milo* Earl of *Hereford*, as by her Charter of Creation, bearing Date at *Oxford*, upon the Feast of *St. James* the Apostle, in the same Year; giving, thereby to him and his Heirs, the Castle of *Hereford*, with the third Penny of the Rent of that Borough, and the third Penny of the Pleas of that County; the Lordships of *Mawerdine*, *Lugwardine* and *Wilton* (all in that Shire) the Inclosures of *Hereford*, now *Haywood*, and the Forrest of *Trivele*, now Part of *Kingston*; as also the Services of *Robert de Chandos*, *Hugh Fitz William* and *Richard de Cormeliis*, with the Fees belonging to them.

*Milo Fitz Walter created Earl of Hereford, by the Empress Maud, 1141. Vide Dugdale's Baronage fol. 537. in the Title ut supra.*

*The 3d Penny of the Borough was after granted to the Knights Hospitallers, as appears by the Grants of R. 1. King John, E. 1. E. 3. and R. 2. Vide ante fo. attested by Mr. Holmes.*



Henry de Bohun created Earl of Hereford 1 Regis Johannis, vide the Copy of the Charter, No. 3. And his Surrender to the King, No. 4. attested by Mr. Helmes.

Neither did the Descendants of the said *Milo Fitz Walter* continue long in the Possession of the Earldom, and the Castles, Manors and Land aforesaid. . . . Since we find, that *Henry de Bohun*, Grandson of *Margaret*, the eldest Daughter of *Milo Fitz Walter*, before-mentioned, was, on 28th of April 1199. Anno 1. Regis Johannis, created Earl of Hereford, with a Grant of 20 l. to be received yearly of the third Penny of that County. . . . In Consideration, that he had surrendered a Grant of divers Lordships made by King H. 2. to Earl Roger, Son of Earl Miles, as is herein after mentioned. . . . But the Constableship of England, his Granfather, *Humphry de Bohun* enjoyed in Right of the said *Margaret* his Wife, to whom that Office descended, as eldest Daughter of Earl Miles, and from her to his Father, as Heir to her, and so to him the said *Henry*.

*Note, Mawardine, Lene (now Kingsland) and Chingestone (now Kingston) and the 103 Men within and without the City of Hereford, were at the Time of the Grand Survey in the King's Hands.*

We begin with, A Particular of the Castles, Hundreds, Manors, Townships, Villages, Places and Lands, in the County of Hereford, which were held by *Roger de Lacy*, as they are described and called in *Domesday-Book*, and generally known at this Day.

In *Domesday-Book*, fo. 180.

In *Plegeliet Hundred.*

*Dantone.*

*Dantone.*

*Sarnesfelde.*

*Gadredehope.*

In *Cornelaus Hundred.*

Vide *Domesday-Book*, fo. 184.

*Roger de Lacy holds Acle; six Freemen held it for six Manors, and may go where they will; there are seven Hides, that pay the Geld: In Demesne there are two Carves, and seven Villeins, and ten Borderers, and a Reeve, and a Smith, with nine Carves among them all, there are twelve Servants.*

*Of this Land Walter de Lacy gave to St. Peters of Hereford two Carves of Land, by the Grant of King William, and one Villein and one Borderer, with their Land: There are in Demesne two Carves, and one Villein, and one Borderer, with one Carve and one Servant there. It is worth twenty five Shillings; the same Roger held seventy five Shillings.*

*The whole of this in the Time of King Edward was worth seven Pounds and fifteen Shillings.*

*The*



The same Roger hath in Wye a Fisbery, which is worth six Pounds, and the Burgeses, which he hath in Hereford, pay him twenty Shillings.

The same Roger holds Magene and Hugh of him; Wonni held it; there is one Hide, that pays the Geld; and there is one Carve in Demesne, and three Servants; it was worth twenty Shillings, and afterwards ten Shillings, now fifteen Shillings.

In Cufestorne Hundred.

In Castellaria de Ewias.

In Castellaria de Clifford.

In Greitrews Hundred.

Poteslepe.

In Ulfei Hundred.

Wentone.

Hed.

Pillefdune,

Magene.

In the Valley of Stradol.

Bachtune.

Wadetune.

Elnodestune.

Edwardestune.

In Dunro Hundred.

Boniniope.

Cobewell.

Malfelle.

Webtone.

In Cufestorne Hundred.

Stratone.

Lude.

Lude.

In Radelau Hundred.

Westune.

Archel.

Nerefrum.

Muneflei.

Merchlai.

Frome.

Sbech.

Hide.

Tatintune.

Lede.

Lede.

Vide Domesday-Book,  
fol. 184.

Vide Domesday-Book,  
fol. 184.

Vide Domesday-Book,  
fol. 184.

Ibidem.

Ibidem.

Vide Domesday-Book,  
fol. 184.

In



*Vide Domesday-Book,*  
fol. 184.

In *Heretre* Hundred.

*Lantune.*

*Lestret.*

*Lidecote.*

*Ibidem.*

In *Elesdune* Hundred.

*Hope.*

*Lenekall.*

*Matma.*

*Wametune.*

*Herdeslege.*

*Letune.*

*Ibidem.*

In *Stradford* Hundred.

*Wibelai.*

*Fernhalle.*

*Pionie.*

*Burlei.*

*Pletune.*

*Sueneftune.*

*Ibidem.*

In *Steplestet* Hundred.

*Brockberie.*

.... *Standune.*

*Malrefelle.*

*Vide Domesday-Book,*  
fol. 185.

.... *Standune.*

*Lareffawre.*

*Edrefhope.*

*Binford.*

*Wermeslai.*

*Wermeslai.*

*Vide Domesday-Book,*  
fol. 185.

In *Plegeliet* Hundred.

*Stoches.*

*Colintune.*

*Sargeberie.*

*Uferlai.*

*Frome.*

*Tetistorp.*

*Bridenberie.*

*Batrelie.*

*Mereftune.*

*Grenedene.*

*Stanford.*

*Chiplei.*

*Hanlei.*



The foregoing List having shewed how the greatest Parts of the Possessions of *William Fitz Osborne* Earl of *Hereford*; and which (after the same returned to the Crown by the Forfeiture of his Son *Roger de Britolio*) were possessed by *Roger de Lacy*.

Next follows an Account of such of those Castles, Manors and Lands lying within the County of *Hereford*, which were granted to the aforesaid *Milo Fitz Walter* the first Earl of *Hereford*, after the Grand Survey; and by which Creation he was possessed of

The Castle of *Hereford*.  
The third Penny of that Burrough.  
The third Penny of the Pleas of that County.

The Lordships of { *Mawardine*.  
                          { *Lugwardine*.  
                          { *Wilton*.

The Inclosures of *Hereford* . . . now called *Haywood*.  
The Forrest of *Trivele* . . . now *Kingston*.

The Services of { *Robert de Chandos*.  
                          { *Hugh Fitz William*.  
                          { *Richard de Cormeiles*.

And the Fees belonging to them,

The Hundred of *Bodenham*.  
The Hundred of *Kingston*.  
The Hundred of *Stretford*.  
The Hundred of *Burghill*.  
The Hundred of *Cowarn*.

*Roger*, eldest Son of the said *Miles Fitz Walter*, and who was Earl of *Hereford* after him, had a Grant of Confirmation from King *H. 2.* of all that had been the Fee of Earl *Miles* his Father, and of *Bernard de Newmark*; and also a Grant from the King (among other Things) of the said Manor of *Mawardine*, *Lugwardine* and *Wilton* . . . This *Roger* dying without Issue, as did also all his Brothers, and the Estate descending to his three Sisters, of which *Margaret* the eldest, who married *Humphry de Bohun*, had for her Share the *Herefordshire* Estate, which descended to her Grandson *Henry de Bohun*; and he being desirous to have the Title of Earl of *Hereford* (as his Ancestor *Miles Fitz Walter* had) An Agreement was made between King *John* and him, That the King should create him Earl of *Hereford*,

This Grant of *H. 2.* to Earl *Roger* is recited in the Grant of Creation of *Henry de Bohun* Earl of *Hereford* and his Surrender to the King. Vide the Copies of the said Grant and Surrender, No. 3. No. 4.

Which Grant and Surrender also set forth this Agreement between the King and the Earl.



and that in Consideration thereof the said *Henry de Bohun* should surrender to the King the Grant of all the Lordships and Premises, that had, as aforesaid, been granted to Earl *Roger* by *H. 2.* upon Condition that *Henry de Bohun* should have the said Grant back again, if the King should have no Heir by a Wife.

Vide the said Charter and Deed, No. 3. No. 4. attested by Mr. Holmes.

Pursuant to which Agreement, King *John* by his Charter dated 28 April primo Regni sui, created the said *Henry de Bohun* Earl of *Hereford*, and the Earl made a Deed of Surrender to the King of the said Grant of *H. 2.*.... And both the King's Charter and the Earl's Deed mention that the Charter of *H. 2.* was deposited in the Priory of *Winchester* by the Hands of the Bishop, to be cancell'd, if the King had Heirs, and if he had none, to be delivered back to the Earl: But the King having Issue King *H. 3.* the same Premises remained to the Crown till the Manor of *Marden* was by the said King *H. 3.* granted out, as is hereafter mention'd.

Vide the Copy of the Grant of *R. 1.* to the Hospitallers, No. 6. And the two Grants of King *John* in *Leyland's* Survey. And of *R. 3.* No. 6. which recites the Grants of *E. 1.* and *E. 3.* attested by Mr. Holmes.

But between the Years 1141. and 1199. when *Henry de Bohun* was created Earl of *Hereford*, being 58 Years. The third Penny of the Burrough of *Hereford* was granted to the Knights Hospitallers of *St. John of Jerusalem*, as appears by the Grants of *R. 1.* confirmed by King *John*, *E. 1.* *E. 3.* and *R. 2.* Vide the Grants ante fo. 4, 5. But the rest of the Services of the Tenants remain'd to the King.

As likewise was the Manor of *Marden* granted by *H. 3.* to his second Son *Edmund*, who gave the same to *Roger Mortimer* Earl of *March*, together with the Services of

*Robert de Chandos*... which is *Sutton*, one of the Villis of the said Manor of *Marden*.

*Hugh Fitz William*... which is *Fenn* and *Ferne* another of the Villis of the said Manor.

*Richard de Cormeiles*, which is *Amberley* and *Fromanton* (both but one) also one of the Villis of the said Manor.

Vide the Copy of the said Writ of 31 E. 1. No. 30. attested by Mr. Holmes Deputy Keeper of the Records in the Tower.

Which said Villis are three of the six Villis which are held of the said Manor of *Marden*: And *Roger Mortimer*, Son of the said *Roger Mortimer* Earl of *March*, was quieted in the Possession of the said Manor by the King's Writ of 31 E. 1. the same having been seised into the King's Hands by the Escheator, because that some Part thereof had been aliened without the King's Licence, whilst Earl *Roger* was in the King's Service in *Gascoigne*. By this Writ the King's Hands were remov'd, and Earl *Roger* restored to the Possession.

So that in the Year 1199, 1. of King *John*, *Henry de Bohun* being created Earl of *Hereford*, was by his said Creation possessed of

The Earldom of *Hereford*.



And by Descent from his Grandmother *Margery*, eldest Daughter of the aforesaid *Milo Fitz Walter*, of and in

The Castle of *Hereford*.  
 The Inclosures of *Hereford* . . . called *Haywood*.  
 The Forrest of *Trivele*, now *Kingston*.  
 The Hundred of *Bodenham*.  
 The Hundred of *Kingston*.  
 The Hundred of *Stretford*.  
 The Hundred of *Burghill*.  
 The Hundred of *Cowarn*.

And of 20 *l. per Annum* to be paid him by the Sheriff of *Herefordshire*, as Constable of *England*, which Office descended to him from his Grandfather, who held the same in Right of his Wife *Margery*, as is aforesaid.

And likewise of the 18 Manors, to which the 103 Men inhabiting within and without the Walls of the City of *Hereford*, were obliged to go with the Sheriff of the County of *Hereford* to the Hundreds and Pleadings mentioned in *Domesday-Book*, as appears by the Ministers Accounts of 1 H. 5. viz.

*Lastres*.  
*Teterstone Wafer*.  
*Teterstone de la Mare*.  
*Stretford*.  
*Kingston*.  
*Hergerst*.  
*Mockas & Sutton*.  
*Presthende*.  
*Therlestone*.  
*Parva Hereford*.  
*Skaterok*.  
*Peteuens Castell*.  
*Parva Freynd*.  
*Le Hulle*.  
*Hapton Habernull*.  
*Aly Saundreston*.  
*Whitney*.  
*Penkethley*.

*Vide Domesday-Book, fo. 179. in the last Article of the Customs relating to the 103 Men, where it is mentioned there were 18 Manors in Hereford who paid their Farms to the King. And Vide the Account of William Boteler, No. 14. which particularly Names these 18 Manors, and shews they were the same as are mentioned in the said last Article of the Customs of the 103 Men in Domesday. Vide the said Account herein before fo.*

And next follows an Account of such of the aforesaid Castles, Hundreds, Manors, Lands, Tenements, Royalties, Franchises, &c. that were in the Possession of

1. *Wil-*



1. . . . *William Fitz-Osborne*, the first Earl of *Hereford*, and forfeited by his Son *Roger de Britolio*, for Treason before the grand Survey.
2. . . . *Roger de Lacy* at the Time of the Survey.
3. . . . *Milo Fitz Walter*, the first Earl of *Hereford* after the Survey.

And which by the Marriage of *Margery*, Daughter of the said *Milo Fitz-Walter* with *Humphry de Bohun*, descended to her Grandson *Henry de Bohun*, created Earl of *Hereford* the 28th Day of *April*, 1 *Johannis Regis*, in whose Family the said Earldom and Lands remained till 43 *E. 3.*

When the last Earl of that Name died and left two Daughters, *Eleanor* and *Mary*; the first married to *Thomas* of *Woodstock*, afterwards Duke of *Gloucester*, and the youngest to *Henry* of *Bolingbroke*, eldest Son to the Duke of *Lancaster*, after *Henry 4.* King of *England*, by whose Son *H. 5.* they were all annexed to the Duchy of *Lancaster*, and confirmed to be so

for ever by the Acts of 2 *H. 5.* 1 *E. 4.* and 1 *H. 7.* and in Vertue of the said Stat. of 1 *E. 4.* and 1 *H. 7.* the said five Hundreds of *Kingston*, *Bodenham*, *Burghill*, *Cowern* and *Stretford* remained in the succeeding Kings and Queens, till they were in the 23d Year of Queen *Eliz.* exchanged with the great Earl of *Leicester* for several great Manors of his in *Wales* and *Warwickshire*.

*Vide the said Acts of 2 H. 5. No. 2. and 1 E. 4. No. 15. and the said Act of 1 H. 7. No. 16. attested by Mr. Holmes.*  
*Vide Inquis. post Mortem of Edward Duke of Bucks, the last of the Name of Stafford, by which it appears the said Hundreds had continued in the Crown, for that it is found he died seized of the Honour of Brecknock only.*  
*Vide the Exemplification of the Queen's Grant to the Earl of Leicester.*

And the Queen's Grant of Exchange specifies, that she grants the said five Hundreds by the same Names, all which were Parcel of the Possessions called *Buckingham's Lands*; and also grants to the said Earl of *Leicester*, all Messuages, Granges, Demesnes, Feedings, Grounds, Pastures, Farms, Fee Farms, Fines, Woods, Amerciaments, Courts Leet, Perquisites of Courts, Chattells of Felons and Fugitives, Advowsons, Right of Patronage, of Rectories and Churches, Escheats, Reliefs, Heriotts, and all Rights, Jurisdctions, and Franchises, to the said Hundreds, Lordships, Manors, or their Parts or Members belonging, to hold in the same free and ample Manner as any Abbot or Prior in the said Priory, or any of our Progenitors, or any other Person whatsoever, formerly held and enjoyed by Vertue of any Grant or Confirmation, and so fully, freely, and entirely as the Premises came to our Hands or the Hands of King *Henry 8.* or *Edward 6.* or Queen *Mary*, by Vertue of the late Dissolution of Monasteries, &c. or by Vertue of any Exchange, Gift, or Grant, or any Attainder, or Forfeiture, or by Reason of any Act or Acts of Parliament, or by any other lawful



ful Right or Title whatsoever, as by the Grant more at large appears.

All which Premisses in the said Grant of the Queen contained were united to those Inheritances, Parcel of the Dutchy of *Lancaster*, to which they formerly belonged, and are now Parcel of the Dutchy, in Vertue of the last Clause of the Statute of 2 H. 5. which *vide antea*, fo. to this Effect.

That whenever, and as often as any Honours, Hundreds, Manors, or other Possessions, as belonging to our said Inheritances, shall come to the Hands of us or our Heirs, on Account of our own Right, or by Reason of such Escheat, Forfeiture, Recovery, or Remainder, or Descent, or other Title, or any other Way whatsoever, such Honours, Hundreds, &c. shall likewise be united with one or other of our said Inheritance, to which they shall be known to belong to be governed by the Officers and under the Seal of the Dutchy.

Clause in the Stat. of 2 H. 5. for uniting to the Dutchy, such Possessions as should revert to the King.

And the same Premisses were by the Heirs of the said Earl of *Leicester* sold to Sir *Tho. Coningesby* 15 J. 1. And which he the said Sir *Thomas Coningesby* the very same Year entailed upon his Son *Fitz-William Coningesby* (Grandfather to the present Earl *Coningesby*) and his Heirs Males, who enjoyed the same till the Year 1643, when they were seised by the then usurping Powers, and sequestrated and sold by Ordinance of Parliament on the fourteenth Day of *December*, 1652, to *Gabriel Taylor*, as Part of the Possessions of . . . *Charles Stuart*, late King of *England*. . . as he was then by his Murtherers filed.

*Vide* the Deed of Sale dated 20 Nov. 15 J. 1. the Copy marked No. 20. attested by Mr. *Saunderson* of the *Rolls Chapel*.  
*Vide* the Deed of Entail.

L

The



*Vide Eaton's Particular of the Estate of Fitz-William Coningesby, Earl Coningesby's Grandfather, taken in or about the Year 1643, which, in the same Year and soon after the said Particular was made, was sequestred for Delinquency by the then usurping Parliament, No. 23.*

The following Particular, the Original whereof is of the Hand-writing of *Thomas Eaton*, the Land Steward of the Family, made by him about the said fatal Year, 1643, just before the Ordinance of Parliament, which made *Fitz-William Coningesby* and *Humphry Coningesby* his Son, (Grandfather and Father to the present Earl) Delinquents, sets forth the Names and Value of the Manors and Lands in the County of *Hereford*, then ordered to be seised and sold for such Delinquency.

<i>Imprimis....</i> His chief Mansion House called <i>Hampton-Court</i> with the Lands, Meadows, Pastures, Feedings, Woods and Underwoods thereunto belonging, containing the two Manors of <i>Hampton-Richards</i> and <i>Hampton-Mappenour</i> .					
			<i>Present Rent.</i>		
			<i>l.</i>	<i>s.</i>	<i>d.</i>
			578	12	8
			<i>Improvement.</i>		
			<i>l.</i>	<i>s.</i>	<i>d.</i>
			578	12	8

And these are the two Manors which we find at the Head of *Roger de Lacy's* 65 Manors which he held of the Conqueror at the Time of the grand Survey.

Which two Manors of *Hampton-Richards* and

*Hampton-Mappenour... now Hampton-Court.*

*Vide Domesday-Book, fo. 186. next mentioned.*

As also the said Lands thereto belonging were the Demefnes at the Time of the grand Survey; and that Part of those Demefnes which belonged to *Hampton-Richards*, and lay in the Hundred and Parish of *Bodenham*, do appear by *Domesday-Book* to have been then held by *Osborn* the Son of *Richard*, whence *Hampton-Richards* took its Name.

As were also those Demefne Lands belonging to *Hampton-Mappenour*, which lie in the Parish of *Hope* under *Dinmore*, and Hundred of *Wolfei*, then called *Plegeliet* Hundred, when they were the Possessions of *Roger de Lacy*.

And the Mesne Manors, which did, at the Time of the taking the said Survey, owe Suit and Service to this Manor of *Hampton-Richard*, were Demefne, and extend themselves to the utmost Confines of the County of *Hereford* in *Tornelaus* Hundred



dred (now *Broxash* Hundred) so also did those *Mefne* Manors, which held of the Manor of *Hampton-Mappenour*, tho' in other Hundreds.

Here follows the Entries in *Domesday-Book*, which prove what before is asserted, and first with Relation to *Hampton-Richard*.

*Terra Osborni Filii Ricardi.*

In *Tornelaus* Hundred.

*The same Osborn holds Bodeham and . . . held it. There is one Hide and an half pays the Geld. In Demesne there are three Carves, and six Villains, and a Smith, and two Borderers, and a Priest, and one Radman, with eight Carves among them all. In the Time of King Edward it was worth 60 Shillings, now 48 Shillings.* *Domesday-Book, fo. 186.*

*Roger de Lacy holds Bodeham and Herbert of him; Edwin held it: There is one Hide and an half pays the Geld. In Demesne there are five Carves, and six Villains, and three Borderers, and a Smith, and a Beadle, and six Cottagers, with six Carves: There are six Servants, and a Mill of sixteen Shillings, and thirty Stiches of Eels; the Meadow is for Oxen only, in the Time of King Edward it was worth fifty Shillings, now sixty Shillings.* *Domesday-Book, fo. 184.*

*The same Roger holds in the same Hundred, and Herbert of him, one Manor of one Virgate not paying Geld, which Edwin held together, with one Carve, it is and was worth twenty six Pence.*

*The same Roger holds one Hide of the Firm of Maudine, the Manor of the King Ingelran held it of him. In Demesne there are two Carves, and four Villains, and one Borderer, with two Carves; there are three Servants.*

*Nigell the Physician holds Bolely and Ralph of him, Lefleet held it; there is one Hide free from Geld and the Service of the King. In Demesne there are two Carves, and two Ox-keepers, the Land is four Carves, it was worth twenty five Shillings, now twenty Shillings.* *Domesday-Book, fo. 183.*

The



The following Entries in *Domesday-Book* is a Proof  
in Relation to *Hampton Mappenour*.

In *Plegeliet Hundred*.

In *Domesday-Book*, fo.  
180.

Roger de Laci holds Hantone, Brunning held it, there is half  
an Hide, in Demesne is one Carve; in the Time of King Ed-  
ward it was worth Forty Shillings, now thirty.

The same Roger holds Hantone Gislbert of him, Edwin held  
it, there are two Hides, in Demesne are two Carves and a Reeve  
and two Radchinisters, two Borderers, with four Carves, it was  
worth Twenty Shillings, now Forty Shillings.

In *Domesday-Book*, fo.  
183.

Urso de Abetot holds Wigetune, Aluvín held it, and may go  
where they will; there is one Hide and one Virgate that pay the  
Geld, the Land is four Carves, it was worth Six Shillings, now  
Three Shillings.

Roger de Laci holds this Manor by Exchange of Urso.

And which two Manors came to H. 5. in Right of his Mo-  
ther, one of the two Daughters of *Humphry Bohun* the last  
Earl of *Hereford* of that Name.

And the said capital Messuage of *Hampton-Court*, with its  
Demesnes, Mesne Manners, and other Lands, having been pur-  
chased by one of the Ancestors of the present Earl some time  
in the Reign of H. 6. of *Cornwall* of *Burford*, who bought it  
of *Lenthall*, to whom it came by his Marriage with *Lucy* a  
near Relation to *Mary* the Daughter of *Humphry de Bohun*,  
and Mother to H. 5. in whose Right the King possessed it, and  
his Son H. 6. gave it to the said *Lucy*: But H. 5. the Year  
preceeding his passing the Act of Parliament for Separation of  
his private Estate from the Crown, having, to prevent the same  
from being united to the Crown, vested the same in Feoffes in  
Trust, held his first Court for this Manor of *Hampton-Richard*  
in their Names, as appears by the antient Court-Rolls of the  
said Manor delivered up to the said Earl's Ancestor, when he  
purchased it of *Cornwall* of *Burford*, as aforesaid, in the fol-  
lowing Stile.



*Hampton Richard.*

The first Court of *Rowland Leyntale*, Kt. *John Merley* and *Richard Wigmore*, Esqrs. and their Coffeoffees of the Lordship held there the seventh Day of *November*, in the first Year of the Reign of *Henry the Fifth*, after the Conquest.

*Vide the Court Rolls of the Mannor of Hampton-Richard, 1 H. 5. N° 24.*

And likewise it appears, that the said Mannors were separated from the Crown, and Parcel of the Dutchy, by a Minister's Account returned into the Dutchy-Office in the first Year of *H. 6.* of the said Mannor, beginning with the following Title.

*Hampton.*

The Account of *William Chirche*, Bailiff there, from the Feast of *St. Michael* the Archangel, the first Year of the Reign of King *Henry the Sixth*, after the Conquest, until the Feast of *St. Michael*, in the second Year of the Reign of the abovesaid King *Henry*, viz. for one whole Year.

*Vide the said Account remaining in the Bundle with the said Court Rolls, N° 24.*

And in the 8th Year of King *H. 6.* when the said Mannor of *Hampton-Richard*, came to the said *Leyntball* by the Marriage of his Wife, he held his first Court for the said Mannors in the following Stile.

The first Court of *Rowland Leyntball*, Kt. and Lady *Lucy* his Wife, held there *Wednesday* in the Feast of Bishop *Nicholas*, in the 8th Year of the Reign of King *Henry the Sixth*, after the Conquest.

*Hampton-Richard and Hampton-Mappenor. Vide the Courts Rolls of these Mannors of the 1st Court of Sir Rowland Leyntball and his Wife, held 8 H. 6. N° 24.*

By which several Rolls it appears, that when the said Capital Messuage, &c. and the two Mannors of *Hampton-Richard* and *Hampton-Mappenor*, came to the Hands of *H. 5.* as aforesaid there did appertain and belong to the same :

First to *Hampton-Richard*,

- |  |   |   |
|--|---|---|
| <ul style="list-style-type: none"> <li>○ The Lordship of <i>Bowley</i>.</li> <li>○ <i>Silvester's</i> Lands, now</li> <li>○ <i>Haines's</i>.</li> <li>○ Churchyard-Farme, in</li> <li>○ the Moor.</li> <li>○ <i>Smith's</i> Lands.</li> <li>○ The Lordship of <i>Woosferloe</i>.</li> <li>○ Huntlands adjoining to</li> <li>○ <i>Bringstywood</i>.</li> <li>○ <i>Collington</i>.</li> <li>○ <i>Tedston</i>.</li> </ul> | } | <p>These being either Part of the Demesne, or paying Rent, Heriots, Services, &amp;c. to <i>Hampton-Richard</i>, and lye in the Parish of <i>Bodenham</i>, and Hundred of <i>Broxash</i>, &amp;c.</p> <p>These likewise are mesne Mannors held as above, in the said Hundred of <i>Broxash</i>.</p> |
|--|---|---|

2dly, To *Hampton-Mappenor*.

Consisting of Part of the Demesnes lying in the Hundred of *Woolphy* :

The Mannor of *Wickton*.

*Walker's* Land.

Mannor of *Winsley* held by *Winsley* and Lady *Catherine* his Wife.

M

*Kipper-*



*Kipperknowle, Carnowly, and Crowshill.*  
The Longland, and part of *Burgbope* adjoining thereto.  
*Ledicott* in the Parish of *Kingland*, and the Tenants  
of *Hurst*.

*Lawton.*

*Hopton-Haggernall.*

*Eaton's Particular.*

*Vide Eaton's Particular,*  
*Nº 23.*

And as the yearly Value of the  
said Capital Messuage of *Hampton-*  
*Court*, with its Demefnes, appears by  
the above Particular of *Tho. Eaton*,  
made in 1643, to be valued at — —

Present Rent.			Improvement.		
l.	s.	d.	l.	s.	d.
578	12	8	578	12	8

So do such of the Mannors and  
Lands which were possessed by *H. 5.*  
in the 1st Year of his Reign, and  
which we find belonging to the said  
Mannors of *Hampton-Richard* and  
*Hampton-Mappenor*, in the Year 1643,  
appear to be of the following Value.

The Mannor of *Bodenham Regis*,  
besides the Advowson of the Vica-  
ridge there — — — — —

30	14	8	160	0	0
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The Mannor of *Bodenham Forches*,  
consisting chiefly of Freeholders, who  
held by Knights Service, and pay  
Heriots, Reliefs, and Wardships, &c.

5	15	2
---	----	---

The Farms of *Howton*, and *Hoopers*  
two Farms in *Bodenham* — — — — —

28	0	0	100	0	0
----	---	---	-----	---	---

The Mannors of *Tedston* and *Col-*  
*lington*, besides the Advowsons of the  
Churches of *Tedston* and *Edvyn Loach*

94	12	10	350	0	0
----	----	----	-----	---	---

The Moiety of two Farms in *Law-*  
*ton* and *Moreton* — — — — —

8	10	8	41	0	0
---	----	---	----	---	---

Two Farms at *Hamnasb* — — — — —

8	13	4	50	0	0
---	----	---	----	---	---

The Tenement in *Newton* — — — — —

3	0	0	13	6	8
---	---	---	----	---	---

The Farm in *Kippernole* — — — — —

5	0	0	38	0	0
---	---	---	----	---	---

The Tythes of *Hope*, *Hampton*, and  
*Windefly* — — — — —

27	3	4	150	0	0
----	---	---	-----	---	---

Divers Coppice Woods, viz. *Ri-*  
*chard's Wood*, *Carnowly*, *Kippernolle*,  
the *West-Field* Coppice, and *Hamnasb*  
Coppice — — — — —

37	10	0	37	10	0
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As the above-mention'd Mannor,  
Lands, Woods, &c. came to the  
Family of the *Coningsby's*, as Mem-  
bers of the Mannors of *Hampton-*  
*Richard* and *Hampton-Mappenor*, in  
or about the Reign of *H. 6.*

So



So did the Hundreds of *Bodenham*, *Burghill*, *Cowarn*, *Kingston*, and *Stretford*, (with all Messuages, Lands, Tenements, Demesnes, Liberties, Franchises, and other Royalties more particularly mention'd in the Grant of Queen *Elizabeth* dat' 9th Jan. in the 23d of her Reign, in Exchange with the Earl of *Leicester*, to the same Hundreds, Lordships, Mannors, or their Members belonging) .. By the Bargain and Sale of the Heirs of the Earl of *Leicester* to Sir *Thomas Coningsby*, dat' 20th Nov. 15 Jac. 1. which vide antea Fo. 17, also come to the Family of the *Coningsby*'s.

And the following Mannors and Lands also contained in the said *Eaton*'s Particular, situate, lying, and being within the said Hundreds, came likewise into the Family of the *Coningsby*'s, in Vertue of the said Grant of the Queen, and Bargain and Sale of the Earl of *Leicester*'s Heirs, and were in the said Year 1643, of the following Value.

The Scite of the Mannor of *Hampton-Waser* being very well built, and the Demesne Lands thereunto belonging, being also in his own Possession —————

100 0 0..100 0 0

The Mannor of *Maunde-Brian* —————

26 10 4.. 60 0 0

The Mannor of *Larpot* with *Linburies* —————

54 16 8.. 200 0 0

The Mannor of *Pencombe*, besides the Advowson of the Parsonage there —————

18 17 2.. 170 0 0

The Mannor and Borough of *Pembruge*, besides the Toll of the Fairs and Market there, and Chantry Lands —————

17 11 10.. 30 0 0

The third Part of the Mannor of *Sutton* —————

14 5 0.. 60 0 0

The Mannor of the Hospital of *St. John* of *Jerusalem*, with the *Black-Fryars*, and other Tenements there —————

69 16 8.. 100 0 0

The Demesnes and Scite of the Mannor of *Orleton* —————

57 11 10.. 100 0 0

The

Vide the Exemplification of the Queen's Grant to the Earl of *Leicester*.

Vide the Conveyance in- roll'd to Sir *Tho. Coningsby*, N<sup>o</sup> 20.



	Present Rent.			Improvement.		
The Mills in <i>Leominster</i> and <i>Concroft</i> s	20	3	8	60	0	9
<i>Ashwood-Park</i> —————	36	6	8	70	0	0
<i>Blount's-Park</i> , and <i>Vale's Farm</i> in } <i>Mooreton</i> ————— }	16	0	0	36	0	0
Three Tenements in <i>Risbury</i> —————	3	0	8	20	0	0
<i>Stockton Mill</i> and Pools —————	6	13	4	20	0	0
The Tenement in <i>Marden</i> late <i>Davies</i>	2	0	0	3	0	0
The Tithes of <i>Hampton-Wafer</i> —————	15	0	0	15	0	0
<i>Riffin Mill</i> in <i>Bodenham</i> —————	5	10	0	6	0	0
The Tithes of <i>Brinsopp</i> and <i>Tarsopp</i>	30	10	0	50	0	0
<i>Coppice Wood</i> , viz. <i>Westbide Barre-</i> <i>wood</i> ————— }	12	10	0	12	10	0

Leases in the County of *Hereford*, contained in the before-mentioned Particular, and were at the following yearly Value in the said Year 1643.

This is what was given to the Priory of *Cornelius* and was resumed into the King's Hands by the Stat. of 1 H. 5. and annexed to the Duchy of *Lancaster*, as is mention'd before Fo. 1.

The Tithes of *Marden*, holden of the Dean and Chapter of *Hereford* for ninety and nine Years, determinable upon three Lives above the Rent reserved —————

The Demesne Lands of *Marden*, for Term of Mr. *Coningsby's* Life, and for 21 Years after his decease *ultra reprises* —————

This is what was given to the Priory of *Brecknock*, and came to the Crown by the Stat. of Dissolution 32 H. 8.

The Lease of the Demesne Lands of *Bodenham-Devereux*, for 99 Years determinable upon three Lives —————

The Lease of the Tithes of *Wickton*, for 21 Years. —————

These are at this Day held by no other Title than what was made by Cardinal *Pole*, in Virtue of the 2 and 3 of P. and M.

350 0 0 .. 350 0 0  
Brought over 1334 16 6 .. 2630 19 4  
Total 1684 16 6 .. 2980 19 4

Thus far it's made demonstrable by the above Particular of *Thomas Eaton*, the Land Steward to Sir *Thomas Coningsby* Great Grandfather to the present Earl, and one of the Executors to the said Sir *Thomas's* last Will, and likewise afterwards to *Fitz-William Coningsby* his Son, 'till the Year 1643, when the whole Estate of the Family was seiz'd by the then Rebels, and not one single Acre of Land left in the Kingdom of *England* for a Steward to manage.

That



That the mesne Mannors and Lands, &c. which came into the Name of the *Coningsby's* upon their purchasing the Mannors of *Hampton Richard* and *Hampton Mappenor*:

And the mesne Mannors and Lands, &c. which the said Family enjoyed from the Purchase of the five Hundreds of *Bodenham*, *Burghill*, *Cowarn*, *Stretford*, and *Kingston*, in the Year 1617.

Did amount at the Time they were seised by the Usurpers, in the Year 1643, certain annual Rent in Possession 1684*l.* 16*s.* 6*d.* In Reversion 2980*l.* 19*s.* 4*d.*

How the said annual Rent of 1684*l.* 16*s.* 6*d.* And by what Methods, by the usurping Robbers was reduced, when the said *Herefordshire* Estate, by Vertue of the Family Entail before mention'd, came to the present Earl's Hands in the Year 1675, we now proceed to shew.

By Sir *Thomas Coningsby's* Purchase of the five Hundreds in the Year 1617, he became Proprietor of the Mannor of the Hospital of *St. John of Jerusalem*, with the Scite of the said Mannor call'd the *Black Fryars* in the City of *Hereford*, and the Suburbs thereof, and other Tenements there, valu'd in the aforesaid Particular at 69*l.* 16*s.* 8*d.* present Rent, and in Reversion at 100*l.* per Ann.

When he erected in the Place where the old Hospital and Chappel of *St. John* stood, a Stone Building round a Court, consisting of a Chappel, a great Hall to hold the Court of the said Mannor in, and twelve Habitations consisting of three Rooms each, for a Corporal, a Chaplain, and ten old Men call'd Servitors, the Corporal being to be a decay'd *Coningsby*, if one can be found, and to have 20*l.* per Ann. the Chaplain the same Allowance, and each of the Servitors in Cloaths, Money, and other Conveniencies 15*l.* per Ann. and for Payment thereof a Rent Charge of 200*l.* per Ann. is settled for ever, to issue out of Lands of the present Earl, and which Annuity is most strictly apply'd, with an Overplus of 30*l.* per Ann. at least, at this Day, to that Use. The said Servitors are to be either three Years Soldiers to the King, or three Years Servants to the Family, and the Disposall of the Places as they become vacant are to be filled by the Family of the *Coningsby's*, who are to be stiled Commanders, whilst they remain Owners of *Hampton Richards*, now called *Hampton Court*, and no longer.

Sir *Thomas Coningsby* erects a new Hospital where the old Priory stood, and endows it with 200*l.* per Ann. for Maintenance of 12 Men.

So that as this Mannor, with the Services of the 103 Men, when given out of the Crown to the Comandatory of *Dinmore* by R. 1. was applied to a charitable Use, so was it restored by Sir *Thomas Coningsby* to the same Use, when he became posses'd of it, with the Addition of other Lands.

N

And



And makes *Hampton Court*, which was the chief Seat of *Roger de Lacy*, to be the same in his own Family.

And as *Hampton-Richards*, now *Hampton-Court*, had been the chief Country Seat of *Roger de Lacy*, as by *Doomsday-Book* appears, so *Sir Thomas Coningsby* returned it to be dependant of that Place (to which it had in the earliest Times belonged) for ever.

And converts the Scite of the Priory into a Dwelling-house.

And for the Scite of the Mannor of *St. John's*, called *The House of the Black Fryars*, he converted it into an admirable Dwelling-house, so good a one, that after his Father's Death, *Fitz-William Coningsby* made it the chief Joynture-House to his Wife: And in this State all Things remained till the fatal Parliament was chose, which sate down in *November 1640*, when the said *Fitz-William Coningsby* and *Sir Robert Harley* were chosen Knights for that County.

And soon after, *Humphry Coningsby* his Son, tho' but nineteen Years of Age, was chosen a Member of that Parliament likewise.

*Fitz-William Coningsby*, and his Son *Humphry*, upon the breaking out of the Wars between the King and Parliament, follow'd the King's Side.

The Father and the Son follow'd the King and his Interest, and him to *Oxford*; and *Sir Robert Harley* remained with the Parliament at *Westminster*, and was a great Leader in their new erected Commonwealth, as hereafter does appear by the Journals of the House of Lords for the Year 1642.

*Earl Coningsby's* said Grandfather and Father taken Prisoners by the Parliament's Party, 25th April 1643.

In the latter End of the Year 1642, or Beginning of 1643, *Fitz-William Coningsby* and his Son *Humphry*, held the Castle and City of *Hereford* as a Garrison for the King against the Parliament, carrying a Regiment which he raised, clothed, and armed at his own Expence, into the said City, which he held 'till *Sir William Waller*, in *April 1643*, with 3000 Men, sate down before it, and by Desertion of one *Barnaby Scudamore*, who was in some Command likewise in the Garrison, they took it on the 25th of the same Month, and carried the present *Earl Coningsby's* Grandfather and Father Prisoners to *Bristol*. The Truth of this appears in the Relation of the taking of this Place, printed in a Book called, *God in the Mount, or the wonderful Success of the Forces of the Parliament against those of the King*, printed by Authority of Parliament in the Year 1644.

At this short Siege the House of the *Black Fryars* was burnt, and remains in Ruins at this Day, and the Castle of *Hereford* seized and garrison'd by the Rebels, and remain'd in their Hands till it was by *Col. Birch* sold to the County, as appears by the Lords and Commons Journals.

*Monday the 27th of March 1643*, but two Days after the Turn of the Year, the Lords desired a Conference concerning the Ordinance for seising the Estates of notorious Delinquents, and a Conference was agreed to accordingly by the Commons.

Mr.



Mr. Pim and Mr. Grimston report the Conference, That the Lords had agreed to the Ordinance, and had appointed six of their House to put it in Execution, and desired the Commons to appoint a proportionable Number of theirs.

Resolved, 31st March 1643.

That Sir Robert Harley do acquaint the Lords, the House of Commons have named the said Committee, to desire their Lordships to appoint Time and Place of Meeting.

And then the Ordinance declares and enacts, That if any Person or Tenant, after Notice given by Publication of the said Ordinance in Print, shall pay unto any of the fourteen Bishops therein particularly named (of which the Bishop of Hereford was one) or to any other Bishops, Deans, Deans and Chapters, Prebendaries, Archdeacons, or any other Person Ecclesiastical or Temporal, as have raised or shall raise Arms against the Parliament, or have been or shall be in actual War against the same, such Payment shall be no Payment, but the Tenants and Persons shall be liable to pay the same again to those appointed by the Ordinance of Parliament to receive the same.

Ordinance of Parliament for sequestering Delinquents Estates, pass'd 31st March 1643. vide Scobell's Acts and Ordinances, fo. 37.

By which Ordinance, past a Month before Hereford was taken, Fitz-William and his Son Humphry Coningsby were become notorious Delinquents, and every Penny of their great Estate in the several Counties of England, which then produced communibus Annis 6000l. per Ann. and all entail'd as aforesaid, was seized into the Hands of the Commonwealth, and so continued till about the Year before the Restauration, when a great Composition was paid for the same; and part of which Time (if not the whole) the said Father and Son remained Prisoners either at Bristol or elsewhere.

The Estate of Earl Coningsby's Grandfather, in virtue of that Ordinance, sequester'd into the Hands of the Commonwealth.

As the Committee appointed to see the said Ordinance for Sequestration strictly executed, were composed of six Lords and twelve Commoners; so there was appointed for each County a Set of Men called Sequestrators, to follow such their severe Directions.

Sequestrators appointed for each County.

As appears by the Journals of the Lords and Commons, (who then stiled themselves the Commonwealth) in the Words following.

Veneris 26 Martis 1647.

Mr. Pierpont reported Articles of Agreement between the Committee of Lords and Commons sitting at Derby-House, and Col. John Birch for a Regiment of Foot consisting of 1000 Soldiers, besides Officers, to be transported for the Service of the Kingdom of Ireland; and for two Troops of Horse, consisting of 100 Men each, besides Officers, for the same Service.

And



March 1647, the Sequestrators order 6740 l. to Col. John Birch, for raising Soldiers, to be paid out of Delinquents Estates in Herefordshire, for which, part of Earl Coningsby's Grandfather's Estate was assigned.

And thereupon convey'd the Castle of Hereford, in Consideration of 6000 l. to Sir Robert Harley, and others, in Trust for the County.

16 July 1649, the Ordinance pass'd for Sale of the King's, Queen's, and Prince's Lands. *Vide* Scobell's Ordinances, 2d Part, fo. 51.

In the Surveys taken in vertue of that Ordinance, the Estate of Fitz-William Coningsby is return'd as part of the late King's in the County of Hereford, three of which Surveys are herein after set forth.

And immediately after the making the said Report, we find the Sum of 6740 l. is ordered by them the Sequestrators, to be advanced to the said Col. Birch, for the 1000 Foot aforesaid.

And then follows the Assignment of the said Herefordshire Sub Committee for Payment of the said 6740 l. to Col. John Birch, out of the Estates of notorious Delinquents, Ecclesiastical or Temporal; and for which Sum he had assign'd him the Wood of *Bringstey*, Part of the five Hundreds, the Bishop's Palace at *Whitborne*, and the Castle of *Hereford*.

And the said Col. in the Year 1647, for 600 l. to be paid by the County of *Hereford*, convey'd the said Castle Lands and Royalties thereunto belonging to Sir Robert Harley, Edward Harley his Son, Walter Kerle, Bennet Hoskins, Edmund Weaver, and William Crowther, in Trust for the County.

And under which Sale, it is enjoyed by a Lease made by the surviving Trustees aforesaid.

But this Cheat was discover'd by the Tyrants of the Independant Faction, who soon after routed the Presbyterians, who had governed the said County, and the whole Kingdom (and the Family of the *Coningsby's* more particularly) with a Rod of Iron, from the Beginning of the Rebellion to that Time.

In 1648 the King was murdered.

And an Ordinance of Parliament pass'd for selling all the King's, Queen's, and Prince's Lands, and Surveys ordered to be taken of them, preparatory to the said Sale, which were taken in the Years, 1649, 50, 51, 52, and 53, accordingly.

And in which Surveys, the said five Hundreds of *Bodenham*, *Kingston*, *Cowarn*, *Burghill*, and *Stretford*, with almost every Acre of the Land in the Particular (before mention'd) of *Fitz-William Coningsby's*, in the County of *Hereford*: And which then produced 1684 l. 16 s. 6 d. per Ann. And certain Rent is contain'd and returned as Lands and Mannors belonging to *Charles Stuart*, late King of *England*, as they then called him, or as the Jointure Lands of his Queen, or the Revenue settled upon his Son the Prince, and as such, so many of the Lands and Mannors in the said Particular taken of *Fitz-William Coningsby's* Estate, herein before inserted, were sold or seized by the Sequestrators, and others of the Rebels governing in those Times that when the present Earl came to the Possession of the said Estate by Vertue of the Entail before mention'd, which was in the Year 1675, the said annual Rent of the *Herefordshire* Estate only, in the Year 1643, of 1684 l. 16 s. 6 d. per Ann. (and which Lands are in the same Year computed to be upwards of above 3000 l. per Ann. in Reversion) did not produce to the said Earl 800 l. per Ann. And besides the Deed of Entail



Entail aforeſaid, he the ſaid Earl had not the leaſt Piece of Parchment, or Paper, by which he was enabled to find out what was become of the great Poſſeſſions of his Family, to which he was by the ſaid Entail intitled, the voracious Tyrants having taken to themſelves all the Fleſh and Fat of the Eſtate, and left the ſaid Earl, then a Minor, the Bones only, almoſt clean pick'd.

But the following Survey taken of the ſaid Caſtle of *Hereford*, in the Year 1652, by the Independants, will explain and ſhew, that neither the ſaid Colonel's pretended Purchase, or his Sale of it in 1647, are taken Notice of; but it is return'd to be with all its Royalties, &c. and the Caſtle and Lands of *Charles Stuart*, late King of *England*, and in the Hands of the Commonwealth, and that it lies within the Pariſh of *St. John's of Jeruſalem*, and within the County, and not within the City of *Hereford*, as does the ruinous Houſe of the *Black Fryers*, and the Hoſpital of the preſent Earl *Coningſby* adjoining to it, and all the Houſes of the 103 Men within and without the Walls of the City, in Doomsday Book mention'd to attend the King at his Hunting in the Mannor of *Kingſton*, and the Sheriff at all the Hundreds and Pleadings of the 18 Mannors within the County of *Hereford*, and who were likewise to mow and make the King's Hay in *Marden*, and which 18 Mannors came to H. 5, as appears by the Miniſter's Account, in the firſt Year of his Reign. *Vide the ſaid Account.*

Whereby Earl *Coningſby's* Eſtate, when he came to it, was reduced to leſs than 800 l. per Ann. in that County.

*Vide the ſaid Account antea Fo.*

*Survey of the Caſtle of Hereford in 1652.*

*Heref. ſſ.* A Survey of the Scite and ruinous Caſtle of *Hereford*, with the Rights, Members, and Appurtenances thereof, ſituate and being in the City and within the County of *Hereford*, late Parcel of the Poſſeſſions of *Charles Stuart*, late King of *England*, made and taken by us whoſe Names are hereunto ſubſcribed, by Vertue of a Commiſſion granted to us by the honourable the Truſtees, appointed by Act of the Commons aſſembled in Parliament, for Sale of the Honours, Mannors, and Lands heretofore belonging to the late King, Queen, and Prince, under their Hands and Seals.

*Vide the Copy of this Survey in the Surveyor General's Office, N<sup>o</sup> 25. attested by Mr. Cartwright, Clerk there.*



The Scite of Hereford.  
Castle.....

All the Scite of the ruinous Castle of Hereford, with the Appurtenances scituate and being in the Parish of St. John's, and near unto the Colledge and City of Hereford, and adjoining to the River Wye, being surrounded on the West, on the North, and on the East, by a Wet Moat, and on the South by the River Wye, &c. All which said Scite, within and without the Walls, together with the Dwelling there, and the Moat, contain by Estimation, five Acres and an half more or less, which were valued to be worth *per Ann.*

<i>l.</i>	<i>s.</i>	<i>d.</i>	<i>l.</i>	<i>s.</i>	<i>d.</i>
5	2	0	6	10	0

There are two ruinous Houses standing, and being within the said Castle, one of the which said Houses hath been used for the Mainguard in the said Castle, the other House for quartering of Soldiers in the said Castle; the Materials of which said Houses we value to be worth, upon the Place in gross, Twenty Pounds

20 0 0

*Memorandum*, the said Castle standing upon the River Wye, the Possessors thereof, as we are informed, have claimed a Privilege of Fishing in the said River, and probably have enjoyed the same; but by Reason of the Discontinuance of Inhabitants in the said Castle, the said Fishing hath of a long Time been discontinued, yet we conceive that there is a Right of Fishing belonging to the said Castle, at the least so far as the Bounds thereof do extend along the said River Wye.

Col. Rogers Lord of the  
Mannor of Marden by  
Purchase in 1650. ....

*Memorandum*, The said Castle is now a Garrison under the Command of Lieutenant-Colonel Rogers; yet, because the same was lately given us in Charge, therefore we do return this Survey.

And all Ways, Passages, Liberties, Jurisdictions, Profits, Commodities, Advantages, and Appurtenances whatsoever, to the same belonging, or in anywise appertaining, or which have been heretofore used, occupied or enjoyed, as Part, Parcel, and Member of the same.

<i>Total Value per Ann.</i> .....	<i>l.</i>	<i>s.</i>	<i>d.</i>
	6	10	0

*Gross Value is* ..... 85

This Survey was perfected the 14th of December, 1652, by us, viz.—

Jeremy Baines.  
John Fiske.  
Samuel Cottman.

There



There needs no more to be said, to convince all Mankind of the Practices between *Birch*, who sold the Castle of *Hereford*, and the Trustees who bought it for the County in the Year 1647, as aforesaid, since it's plain, that

If ever the Castle of *Hereford*, and the said five Hundreds of *Bodenham*, *Burghill*, *Kingston*, *Cowarn*, and *Stretford*, belonged to *William Fitz-Osborn*,

If ever they were granted by *Maud* the Empress to *Milo Fitz-Walter*,

If ever *Humphrey de Bobun* possess'd them,

If *Henry 4.* had them on his Death, by the Marriage of his the said *Humphrey's* Daughter *Mary*, and if the same were by him and *Henry 5.* (to whom the same descended in Right of his Mother) annexed to the Dutchy of *Lancaster* by Act of Parliament, 2 H. 5.

If ever *Humphrey*, first Duke of *Bucks* of the Name of *Stafford*, in the Reign of *H. 6.* was possessed of them,

If ever the aforesaid *Humphrey Stafford* Duke of *Buckingham's* Lands in the County of *Hereford* and Marches of *Wales*, were exchanged with the Earl of *Leicester* by Queen *Elizabeth*, for the Mannors of *Arnelly*, *Knowle*, and several Mannors in the Counties of *Montgomery* and *Denbigh*.

And if King *Charles I.* when Prince, enjoyed those Mannors, and afterwards mortgaged them when he came to be King, in the 5th Year of his Reign, and in the said Mortgage takes Notice, that they had been the Earl of *Leicester's*,

Then 'tis impossible that either the Castle of *Hereford*, or the five Hundreds of *Bodenham*, *Burghill*, *Kingston*, *Stretford*, and *Cowarn*, could ever be the Lands of *Charles Stuart*, late King of *England*, murdered by his rebellious Subjects in the Year 1648.

Nor could the said Castle or Hundreds come to the said Murderers by the Death of the said King, having been exchanged by Queen *Elizabeth*, for other Mannors, which the Rebels then possessed by Means of the said Exchange.

But by Col. *Birch's* Purchase of the said Castle, in the Year 1646, and selling it to Sir *Robert Harley, &c.* in the Year 1647, almost two Years before the King's Death, and four Years before the Survey, demonstrably shews, that the said Castle and five Hundreds came into the Rebels Hands at the Time of the Taking of *Hereford*, with all the great Estate of *Fitz-William* and *Humphrey Coningsby*, Father and Grandfather of the present Earl, on Account of their being declared notorious Delinquents by the Ordinance passed to make them so in 1643.

It is to be observ'd, that in the Year 1642, and 17 Car. I. By Act of the then usurping Parliament (without the Royal

Demonstrations that the Castle of *Hereford*, and five Hundreds of *Bodenham*, *Burghill*, *Kingston*, *Cowarn*, and *Stretford*, which in the Surveys taken by the Sequestrators, are returned as Parcel of the King's, could not be, nor was the King's Estate.

Vide the Copy of the said Grant of King Ch. 25 Sep. 4 regni sui, whereby the said Mannors are mortgaged to the Citizens of London, out of the Chappel of the Rolls, attested by Mr. Rooke.

Vide the Exemplification of the Queen's Grant before mentioned of the 5 Hundreds to the Earl of Leicester.

Act in 1642 to make void the Court of the Dutchy of Lancaster. Vide Scobbell's Acts and Ordinances. Fo. 10.



Royal Assent) the Court of the Dutchy of Lancaster, was taken away and made void. And in the Beginning of the Year 1643, it was, that the Act of Delinquency was made, whereby the Estate of the present Earl Coningsby's Grandfather was sequestered and seized by the Rebels, as aforesaid; and particularly the said five Hundreds of Kingston, Bodenham, Burghill, Stretford, and Cowarn.

Dec. 1644.  
That Court revived during Pleasure of the Parliament.

But in the Year 1644, when the Parliament had declar'd the Government to be a Commonwealth, the Jurisdiction of that Court was, by Act of that Parliament, restor'd to be used during the Pleasure of the Parliament only. And the two Judges that went the Northern Circuit, appointed Judges for that County Palatine.

And afterwards the said Court was, by successive Acts of that Parliament, continued, and a Chancellor appointed yearly, which was for some Time one Bannister, and so it continued during the Time of the Commonwealth.

14 Feb. 1654.  
And continu'd by the Protector, and Bradshaw made Chancellor, and Lechmere, Attorney.

But when that Government terminated in a single Person, viz. Oliver Cromwel, by the Style of Protector; then in Feb. 1654, by Ordinance of the Lord Protector, and his Council, the Time was enlarged, for then, all Causes depending in that Court, are reviv'd by that Ordinance; and Judges and Chancellors appointed and authoriz'd to sit till all the Causes should be fully heard and determin'd. And John Bradshaw, who had been President of that Court, that took upon them to try the King, and one Thomas Fell, were appointed Chancellors, and Nicholas Lechmere, Attorney; and upon that Occasion, the Oath of the Attorney was altered, as appears by the Record thereof remaining in the Dutchy Office, together with the Authority to the Commissioners of the Great Seal, to administer the said Oath to him, in these Words.

*Oath of Attorney, as it was altered for Mr. Nicholas Lechmere.*

The Oath taken by Mr. Lechmere, as Attorney of the Dutchy, to Oliver.

*You shall swear that you shall be true and faithful unto his Highness the Lord Protector, in the Use, Exercise, and Occupation of his Attorney, of and for the Possessions of the Dutchy of Lancaster, whereunto he hath enabled and admitted you; and truly to serve him in your Labour, Study, and Diligence, of and in the same, to the best of your Power, without Hurt, Craft, Concealment, or Prejudice. And you shall behave you well and indifferently in all Things you shall meddle with, not letting for Medd, Dread, Favour, or for Corruption.*

*Right trusty and right well-beloved, we greet you well. Our Will and Pleasure is, and we do hereby authorize and require you*



to administer to Nicholas Lechmere, Esq; our Attorney-general for the Dutchy of Lancaster, the Oath hereunto annexed.

To our right trusty and right well-beloved  
our Commissioners of the Great Seal of  
England.

Directions to the Com-  
missioners of the Great  
Seal, to swear him.

And so it remained till the Death of Oliver, and after-  
wards during the Time that his Son Richard succeeded him  
as Protector. And until

*Journals of Parliament.*

Monday 1st Aug. 1659, When an Act for continuing the Ju-  
risdiction and Privileges of the Dutchy of Lancaster, was read in  
Parliament a first Time; but being proposed to be read a 2d Time,  
it passed in the Negative, and only a Bill ordered to be brought  
in for holding an Assizes for that County, which Bill passed,  
and was ordered to be printed, and published on Friday the 5th  
of the same Month.

1 Aug. 1659.  
A Bill for continuing  
the Dutchy Court reject-  
ed.

On which Day, it was order'd, that the Seals of the said  
Dutchy, should be brought into the House on the first of November,  
1659, and then cancelled, and no more used, and that the Pro-  
fits of the Seal in the mean time should be sequestred to the Use  
of the Commonwealth.

5 Aug. 1659.  
The Seals of the Dutchy  
to be cancelled.

The Parliament was interrupted from sitting, and the then  
pretended Commonwealth broken up, by Lambert and other  
Officers of the Army.

13 Oct. 1659.  
The Parliament kept out  
of the House by Officers  
of the Army.

The Parliament reassembled, and  
Constituted a Council of State, to consist of 31 Persons, 21 of which,  
to be Members of the House, and to continue from the first of Jan.  
to the first of April, 1660.

26 Dec. 1659.  
Reassembled.  
31 Dec. 1659.

That Council of State signed the Renunciation of the Family of  
the Stuarts and of any Government, by a single Person and House  
of Lords.

A Stop was put to the Proceedings of that Council of State,  
by General Monk.

18 Feb. 1659.

The Parliament met again, and the same Day dissolved that  
Council of State. And a new Council of State was constituted  
of 31 Persons, whereof General Monk to be one: And also the  
said Parliament then vacated all the Votes passed in 1648, against  
entring into any Treaty with King Charles I. and likewise the said  
Renunciation taken by the former Council of State, of any Go-  
vernment, by a single Person or House of Peers.

21 Feb. 1659.  
The Parliament newmo-  
dell'd by General Monk.

It was ordered, that the Vote of the 5th of Aug. beforemen-  
tioned, which directed the Seal of the Dutchy of Lancaster to be  
cancelled, should be vacated.

27 Feb. 1659.  
The Vote for cancelling  
the Dutchy Seal vacated.

P

And



Lenthall, the Speaker, made Chancellor of the Dutchy.

And on the same Day, William Lenthall, Speaker of the Parliament, was constituted Chamberlain of Chester, and Chancellor of the County Palatine of Lancaster.

A Bill brought in to revive the Dutchy Court.

And further, on the same Day, it was resolv'd, that an Act be brought in for reviving the Jurisdiction of the Counties Palatine of Chester and Lancaster, and that Mr. Prym, Mr. Tho. Birch, and Mr. Lechmere, do bring in the said Bill.

3 March 1659.

Col. Tho. Birch brought in the said Bill, which was read a 1st and 2d Time, and committed to Mr. Attorney Lechmere, and others.

14 March 1659.

The Lord Chief Baron Wild reports, Amendments to the Bill for reviving the Court of the Dutchy Chamber of Lancaster at Westminster, which were twice read, and then

The Bill passed, and Sir Gilbert Gerard made Chancellor, and Mr. Lechmere, Attorney of the Dutchy.

Resolved, That Sir Gilbert Gerard be Chancellor of the Dutchy of Lancaster, and that Nicholas Lechmere, Esq; be Attorney of the Dutchy of Lancaster.

And the said Amendments being agreed to, The said Bill so amended was, upon the Question, pass'd; and immediately after, a Copy thereof, signed by Thomas St. Nicholas, Clerk of the Parliament, was transmitted to the Dutchy Office, where the same remains recorded in these Words following.

An Act for the reviving of the Court of the Dutchy and County Palatine of Lancaster.

The Tenor of the Bill.

Be it enacted by this present Parliament, and the Authority thereof, That the Court of the Dutchy of Lancaster, and the County Palatine of Lancaster, and all the Powers, Authorities, Jurisdictions, and Privileges, to them and each of them belonging, as they stood in the Year 1640, be and are hereby revived and continued to all Intents and Purposes, any Act, Ordinance, or other Matter to the contrary thereof in any wise notwithstanding. And be it further enacted by the Authority aforesaid, That Sir Gilbert Gerard, Bart. be and is hereby constituted and appointed Chancellor of the said Dutchy of Lancaster, and of the said County Palatine of Lancaster, and Keeper of the Seals both of the said Dutchy Court and County Palatine; and to have, use, and exercise all Powers, Authorities, and Jurisdictions within the said Dutchy and County Palatine, with all Fees, Profits, and Advantages to the same and each of them belonging, in as full and ample Manner as any former Chancellor, Commissioner, or Keeper of the said Seals, or either of them, lawfully might or ought to have done, until the Parliament take other Order. And that Nicholas Lechmere, Esq; be and is hereby constituted and appointed Attorney of the said Court of the Dutchy of Lancaster at Westminster, and of the said County Palatine of Lancaster; and to have and enjoy all Fees Profits, and Advantages thereunto belonging



longing, as any former Attorney of the said Court and County Palatine lawfully might or ought to have had and enjoyed, until the Parliament take other Order.

Ex<sup>r</sup>.

March 14<sup>th</sup>, 1659.

Tho. St. Nicholas, Clerk  
of the Parliament.

And the Lord Chief Baron, immediately after, the same Day also reports a Bill for restoring William Lenthall, Esq; Speaker of the Parliament to the Office of Chamberlain of Chester, which was the same Day read the 1<sup>st</sup> and 2<sup>d</sup> Time, and, upon the Question, pass'd.

The same 14<sup>th</sup> of March Lenthall the Speaker, made Chamberlain of Chester.

Mr. Attorney Lechmere reports a Bill enabling to sue Bonds and Securities taken in the Name of Oliver, Lord Protector, or Richard Lord Protector, which was this Day read the first and second Time, and upon the Question, passed, and ordered to be printed and published.

15 March 1659.  
Act to sue Bonds taken in the Protectors Names.

Resolved, that this be the Title of the said Act, viz.

An Act for Recovery of the publick Debts and other Duties belonging to the Commonwealth.

An Act for bringing in the Rents and Revenues of Delinquents and Popish Recusants Estates, was this Day read the first and second Time, and passed.

15 March 1659.  
Act to bring in Rents of Delinquents.

A Bill ingrossed for dissolving the Parliament, begun and holden at Westm. 3<sup>d</sup> Nov. 1640, and for calling and holding of a Parliament on the 25<sup>th</sup> of April, 1660, was passed, and ordered to be printed and published.

16 March 1659.  
Act to dissolve the Parliament, and call a new one.

In which Bill there is a Clause, That all and every Person and Persons that have advised, or aided, abetted, or assisted in any War against the Parliament since 1 Jan. 1641, unless he or they have since manifested their good Affections to this Parliament, shall be incapable to be elected Members in the next Parliament.

Proviso to disable those to sit in the new Parliament, that had been on the King's Side.

By Means of which Clause, and of the last Act passed the Day before, for bringing in the Rents and Revenues of Delinquents Estates, the present Earl Coningsby's Grandfather and Father, who left the Parliament, and went with the King to Oxford, and in 1643 were taken Prisoners in Hereford, and all their Estates sequestred in the same Year by the Ordinance of Delinquency before mentioned, were barbarously reduced and stripp'd of their Estates, and their ancient, honourable and worthy Family and themselves subjected to worthless Men and rebellious Plunderers, for their Loyalty and Fidelity to their King and Country.

How that Proviso and the Act for bringing in the Rents of Delinquents Estates, reduced Earl Coningsby's Family.

And



Observations on Oliver's  
Design to keep the Dut-  
chy Lands in his own  
Family, separate from  
the Crown Revenues.

And here we are to observe, that on the 14th Febr. 1654, when *Bradshaw* (who was President of that Court which tried and condemned the King) and *Fell* were Chancellors of the Dutchy, the said Mr. *Lechmere* was made Attorney of the Dutchy by *Oliver Cromwell*, and took an Oath to the Protector, and not to the Commonwealth, to exercise the Occupation of his Attorney, for the Possessions of the Dutchy of *Lancaster*.

So that by this Oath being taken to the Protector, and not to the Commonwealth, as it had ever been, by all the Attorneys, and other Officers, appointed after the Year 1642, for the Management of the Possessions of the Dutchy, shews, that *Oliver Cromwell*, as *H. 4.* and *H. 5.* had before done, intended to keep the Dutchy Lands, together with the Lands annexed thereto by the Stat. of 2 *H. 5.* separate from the Revenues of the Crown, and apply them in all Events to the Use of himself and his Family; which Design of the Protector ended with his Life.

*Lenthall*, the Speaker, descended from Sir *Rowland Lenthall* and *Lucy* his Wife, Owners of *Hampton Richards*, and *Hampton Mappenour*, now called *Hampton Court*, as before mentioned, *fo.* *Vide the Court Rolls, N<sup>o</sup> 24.*

And *William Lenthall*, Speaker of the Parliament, who was a Descendant of that Sir *Rowland Lenthall*, who, together with *Lucy* his Wife, (a Relation to the Lady *Mary*, Mother to King *H. 5.*) had a Grant from King *H. 6.* in the 8th Year of his Reign, of the said Mannors of *Hampton Richards* and *Hampton Mappenour*, now called *Hampton Court*, and the Seat of the present Earl *Coningsby*; and which the said Sir *Rowland* and his Wife sold to the Person of whom Earl *Coningsby's* Ancestor purchased the same, in or about the said Reign of *H. 6.* In the Possession of which Family of the *Coningsbys*, the same remained till the aforesaid Delinquency of Earl *Coningsby's* Grandfather and Father in 1642.

In which Year 1642, an Act of Parliament was passed, whereby the Court of Star Chamber, the Courts before the Council and Presidents of *Wales*, and the Northern Parts, and the Court of the Dutchy of *Lancaster*, were made void.

His Attempt to regain  
those Mannors to his  
Family:

And now we must observe, that *William Lenthall*, who, from the sitting down of the Parliament, 3d Nov. 1640, had, under all the Changes of Government, continued in the Chair of the Commons till 27 Febr. 1659, then taking Advantage of the Delinquency of Earl *Coningsby's* Grandfather and Father, thought he had now a fit Opportunity to regain those Mannors, which had once been his Ancestor Sir *Rowland's*, at an easy Rate, together with the said five Hundreds of *Kingston*, *Bodenham*, *Burghill*, *Cowarn*, and *Stretford*, and the rest of the Estate belonging to Earl *Coningsby's* Family, which was Parcel of the Dutchy of *Lancaster*; and as a Step towards it, got himself made Chancellor of the Dutchy upon the same, 27 Febr. 1659, and *Lechmere* acted as Attorney under him.

For that End got him-  
self made Chancellor of  
the Dutchy, 27 Feb.  
1659;

But



But the making of *William Lentball* Chancellor of the Dut-  
chy, setting in too clear a Light the Designs he and the rest  
of the wicked Governors of those Times had, for separating  
the said Possessions of Lady *Mary*, Mother to *H. 5.* annexed  
by the Stat. of 2 *H. 5.* to the Dutchy, from the Body of the  
Dutchy, in order to divide it among themselves; (which they  
afterwards accordingly brought to pass) whereupon the 14  
*March* 1659, *Lentball* was deprived of the Office of Chan-  
cellor of the Dutchy, and Sir *Gilbert Gerard* made Chancellor,  
and Mr. *Lechmere* at the same Time Attorney.

but disappointed, being  
deprived of that Office  
14 *March* 1659, as be-  
fore set forth.

Now to shew the Method by which they succeeded in their  
Design of separating the Possessions of the said annexed  
Parts, from the Body of the Dutchy. It is to be observed,  
that in 1642 the Court of the Dutchy was made void, as is  
before mentioned; and in Virtue of the said Ordinance of  
31 *March* 1643, the real Estate of Earl *Coningesby's* Grand-  
father was laid under Sequestration, soon after that Ordi-  
nance was made, and particularly the said five Hundreds of  
*Kingston, Bodenham, Burghill, Cowarn, and Stretford*, were se-  
questred as his Estate, and not the King's.

The Methods used by  
the Governors of those  
Times to dispose of Earl  
*Coningesby's* Grandfather's  
Estate, as belonging to  
the late King.

And in Virtue of that Ordinance of the 31 *March* 1643,  
not only the real Estate of Earl *Coningesby's* Grandfather, but  
also all his Goods, Chattels, and personal Estate was seized,  
and the Books of Accompts, Rentals, Copies of Court Roll,  
and other Evidences, Writings, and Memorials, relating to  
the real Estate, taken into the Sequestrators Hands; and the  
said five Hundreds, (whose Royalties extend themselves into  
seven of the eleven Hundreds of which the County consists)  
with the rest of the sequestrated Estate of Mr. *Coningesby* in  
the said County, were either sold or farmed out by the said  
Sequestrators.

The Sequestrators had be-  
fore, viz. in 1643 got  
Possession of the greatest  
Part of his Estate, and  
of the Writings belong-  
ing to it.

And the said Ordinance of Sequestration empowering the  
Sequestrators to call before them the Stewards, Bailiffs, and  
other Officers and Servants of Delinquents, thereby to in-  
form themselves of the Particulars and Values of the se-  
questred Estate, *Thomas Eaton*, herein before mentioned, who  
was Land Steward to Sir *Tho. Coningesby*, and one of his  
Executors, and acquainted with all the Particulars of his  
Estate, under Colour of this Ordinance, and being also be-  
come of the Party of the Commonwealth, as appears by an  
Ordinance made 29 *Aug.* 1654, wherein he is made a Com-  
missioner to proceed against scandalous Ministers, he discov-  
ered to the Sequestrators the Particulars and Values of Mr.  
*Coningesby's* Estate; and let the Surveyors into the Particulars  
of these common Fines belonging to Earl *Coningesby's* said  
five Hundreds of *Kingston, Bodenham, Burghill, Cowarn, and*  
*Stretford*, and, in Consequence of such Discovery,

Procured *Eaton* who had  
been his Steward to  
make a full Discovery  
of the Particulars of his  
Estate.

Q

First



First Survey 1

And in February 1650 caused to be taken a Survey of seven Hundreds in the County of Hereford, as Parcel of the Possessions of the late King, including therein Earl Coningsby's Hundreds.

Vide the Copy of the Survey in the Surveyor General's Office. N<sup>o</sup> 28.

Attested by J. Cartwright, Clerk there.

In February 1650, a Survey was taken, in order to make Sale of the common Fines and Royalties of the said five Hundreds, as for the Use of the Commonwealth, as hereafter will appear: Which Survey is entitled, A Survey of the Royalties and Views of Frank Pledge, yearly to be held within the several Hundreds hereafter mentioned, with the Rights, Members, and Appurtenances thereof, within the County of Hereford, late Parcel of the Possessions of Charles Stuart, late King of England, made and taken by us, whose Names are hereunto subscribed, in the Month of February 1650, by Virtue of a Commission grounded upon an Act of the Commons assembled in Parliament, for Sale of the Honours, Mannors, and Lands heretofore belonging to the late King, Queen, and Prince, under the Hands and Seals of five or more of the Trustees in the said Act named and appointed.

Observations upon this Survey.

What is before inserted being the General Title to the Survey of all the Hundreds ordered to be surveyed as aforesaid: The Survey then goes on to particularize the Courts Leet, Views of Frank Pledge, Turns, or Hundreds, yearly to be held within such of the eleven Hundreds of the County, wherein any one or more of the five Hundreds of Kingston, Bodenham, Burghill, Cowarn, and Stretford did lie; and out of which the Fines, Amerciaments, Perquisites, and Profits of all Manner of Courts and Hundreds intended to be surveyed, did arise and issue: And since, the Hundreds of Grimsworth, Webtree, Stretford, Radlowe, Wolpbie, Graytree, and Broxasb, seven of the eleven Hundreds in the County, are only named in this Survey of 1650; and since, in the Hundred of Broxasb lie the Hundreds of Bodenham and Cowarn, two of Earl Coningsby's five Hundreds, and wherein the said Earl at present enjoys above three thousand Pounds *per Annum* in Possession and Reversion, all formerly belonging to H. 4. and H. 5. and Part of the Estate annexed to the Duchy of Lancaster, as aforesaid,

We choose the said Hundred of Broxasb out of the other seven before-mention'd County Hundreds, to avoid Prolixity, as a sufficient Demonstration of the horrid Practice of those traitorous Men in those dreadful Times. And which in the said Survey is thus expressed.

*Broxasbe Hundred.*

The Fines, Amerciaments, Perquisites, and Profits of all and all Manner of Court Leets, View of Frank Pledge, Turns, or Hundreds within the said Hundred, yearly to be held at  
Sutton



*Sutton St. Michael*: And then the Survey enumerates several other Names of Towns, and amongst them, *Cowarn* and *Bodenham*, which are two of *Earl Coningsby's* five Hundreds; and the other Names of Towns so enumerated under the Title of *Broxash* Hundred, are of Towns belonging to the said two Hundreds of *Cowarn* and *Bodenham*. And then the Survey estimates the Profits and Perquisites within the aforesaid Hundred, to the Royalty thereof appertaining, *communibus annis* 8*l.* 13*s.* 4*d.*

Then the said Survey further goes on thus:

A common Fine issuing and payable out of divers Townships within the Hundred of *Broxash* aforesaid, *viz.* out of the Township of *Wofferlow* 21*s.* and then enumerates several Townships, with the Sums by them payable, amounting in the whole to 12*l.* 4*s.* and amongst them the Township of *Bodenham* at 3*s.* 6*d.* and the Township of *Great Cowarn* at 6*s.* 8*d.*

Second Survey in 1652.

Afterwards, the 13th of Dec. 1652, another Survey is taken of the said Hundreds by another Sett of Surveyors, under the following Title.

*Broxash* Hundred, with the Rights, Members, and Appurtenances thereof. }

This Survey was taken and perfected 13th of Dec. 1652.

*Heref. ff.* A Survey of the Hundred of *Broxash*, with the Rights, Members, and Appurtenances thereof in the County of *Hereford*, late Parcel of the Possessions of *Charles Stuart*, late King of *England*, made and taken by us, whose Names are hereunto subscribed, by Virtue of a Commission granted to us by the Honourable Trustees appointed by Act of the Commons in Parliament assembled, for Sale of the Honours, Mannors, and Lands heretofore belonging to the late King, Queen, and Prince, under their Hands and Seals.

All that certain Money and common fine Silver payable by several Townships and Villages within the Hundred of *Broxash* in the County of *Hereford*, payable at the Court Leet and Law Days holden for the said Hundred at *Michaelmas* and *Easter* yearly, by the Constables and Inhabitants thereof, according to ancient Custom and Usage, as by the Particulars hereafter set down, doth and may more fully appear to be *per Ann.*

l. s. d.  
12 4 2

*Vide the Copy of this Survey, (taken out of the Augmentation Office, and Copies of the Survey of the other Hundreds, at the same Time taken) N<sup>o</sup> 26. Attested by Mr. Battley, Keeper of the Records there.*

The



The Courts Leet and Law Days, Fines and Amerciaments of Courts, Waifes, Estrays, Deodands, Felons Goods, and Goods of Felons, of themselves, of Fugitives, and condemned Persons, and all other Royalties, Priviledges, Powers, Jurisdictions, Profits, Commodities, Advantages, and Appurtenances to the Royalty and Jurisdiction thereof belonging, or in any wise appertaining, together with the Profits of the County Court, arising out of the said Hundred, we estimate to be worth, *communibus annis.*

l. s. d.  
13 6 8

Sum Total of certain Money  
and Royalties are *per Ann.* } 25 10 10

The common fine Silver, or certain Money payable by several Townships and Villages within the said Hundred of Broxash, at Michaelmas and Easter yearly, at the Leet holden for the said Hundred, according to the Custom and Usage thereof, viz.

Belonging to Hampton Richard.	The Village of Wofferloe	1	1	0
To the Hundred of Cowarn	{ The Village of Thornbury	1	1	0
	{ The Village of Stokeblifs	0	3	6
To Hampton Richard.	The Village of Collington	0	7	0
	The Village of Mackington	0	7	0
To the Hundred of Cowarn	{ The Village of Rowden	0	1	0
	{ The Village of Avenbury	0	13	4
	{ The Village of Stanford	0	5	4
	{ The Village of Stokelacy	1	11	6
To the Hundred of Cowarn	The Village of Pencombe	2	13	4
To the Hundred of Bodenham.	The Village of Grendon, cum membris	0	8	0
	The Village of Bradfeild	0	3	6
To the same	The Village of Bodenham Forches	0	3	6
To the same	The Village of Rowsmaund and Burghope	0	3	6
To Hampton Richard	The Village of Burghope	0	3	6
To St. Peter's in Hereford	{ The Village of Felton, cum Thinghill	0	13	6
	{ The Village of Ocle Pitchard	0	13	6
To Hampton Richard	The Village of Tedston Wafer	0	3	6
To the Hundred of Bodenham.	The Village of Rowbery	0	3	6
To the same	The Village of Maund, Bryan, Bradfeild, and Heath	0	3	6
To the same	The Village of Sutton Freene	0	3	6
To the same	The Village of Whitchurch	0	3	6
To the Hundred of Cowarn	{ The Village of Little Cowarn	0	7	0
	{ The Village of Great Cowarn	0	6	8

12 4 2

Memorandums.



*Memorandums,*

The Court-Leet and Law-Days for the said Hundred of *Broxasb*, are holden at the usual Place for the said Courts at *Broxasb*, in the Parish of little *Corwarn*, about *Michaelmas* and *Easter*, yearly.

Customs of the Courts of the said Hundreds.

The Constables and Inhabitants, and all Resiants in the several Townships and Villages in the said Hundred, do owe Suit unto the said Courts and to Essoin, and twenty-four able Persons are summon'd to serve as a Jury at the said Place.

If two Housholders, Inhabitants of every the said Townships and Villages that owe Suit to the said Courts, do appear, they save the Amerciament of that Township and Village for which they do appear; but upon Default of the Appearance of these two, the whole Township or Village are amerced.

The two Inhabitants before mention'd appearing, are sworn for their several Townships and Villages, and do present all Defaults in Appearances, and all common Nufances, and other Things presentable in the Name of the Township or Village, unto the Steward of the Court, and the said Steward transmits all such Presentments unto the Jury, who ratify or alter the said Presentment as they see Cause.

The Jury do present all common Nufances, and other Things inquirable in the Leet, and also all Waifs, Estrays, Deodands, and other Casualties happening in the several Townships and Villages in the said Hundred; which are to be levied and seised by the Bailiff of the Hundred, or other Officers, according to Custom or Command, and a Presentment or Accompt thereof given at the next Leet, or sooner, if Occasion require.

All Amerciaments and Fines imposed at the said Courts are usually affected by two of the said Jury, the one chosen and named by the Steward of the Court, and the other by the Residue of the said Jury, and afterwards by two Justices of Peace for the said County, and signed by them, and levied accordingly.

The Steward and Bailiff of the said Hundred and Courts, are only *pro tempore*, by the Appointment of the Sheriff of the said County.



*Memorandum,* There is a monthly Court call'd the County Court or Sheriffs Turn Court, holden for all the Hundreds in the said County, for Trial of Actions under Forty Shillings, according to Custom: Which said Courts are usually kept in the *Shire-Hall* in *Hereford*; but before the Wars, were holden in *Hereford-Castle*, the Profits thereof arising out of the several Hundreds which are Suitors. We have comprehended the Profits thereof arising out of this Hundred, in the Valuation of the Royalties.

The Lords of divers Lordships and Manors, ought to attend the said Courts, and to be assistant in Judgment there, either in Person or by sufficient Deputies, and are amercable upon Defaults.

	l.	s.	d.
<i>Sum Total of certain Money and Royalties are per Ann. —</i>	25	10	10

This Survey was perfected } *Jeremy Baines,*  
 this 13th of December 1652, } *Samuel Cottman,* *John Fiske*  
 by us, viz. } *John Haddocke,*

*Observation . . .* This 25 l. 10 s. 10 d. the Sum Total of the certain Money and Royalties of two of the five Hundreds, viz. *Bodenham* and *Cowarn*, which lye in the Hundred of *Broxash*, and whose Courts-Leets were held twice a-year, at a Place call'd *Broxash* in little *Cowarn*, and the monthly Court (before the Wars) in the Castle of *Hereford*....Appears, by the following Indorsement on the Original Survey, to have been sold by the Usurpers to *Gabriel Taylor*.

*Hereford . . .*  
*Vide the Copy of the Survey. N<sup>o</sup> 26.*

*Hundred of Broxash.*  
 Sold, the fourteenth of December 1652, to *Gabriel Taylor*, As the other three Hundreds of *Kingston*, *Stretford* and *Burghill*, appear by the like Indorsements on the several Surveys, to have been at the same Time sold to the same *Gabriel Taylor*.  
 And the following Directions given by the same Trustees for the Commonwealth to the same Surveyors, to distinguish the Perquisites of the Hundred Courts, viz. the Hundred Courts of *Kingston*, *Stretford*, *Cowarn*, *Bodenham*, and *Burghill*, from the Perquisites of the County Courts, commonly termed the Sheriffs Turn or Hundred Courts (in other Counties where no such Franchises as the five Hundreds aforesaid are)....And which the said Surveyors had returned together in the following Manner.

Sum



Sum Total of the certain Money and Royalties } l. s. d. { Broxash Hundred, or  
per Ann. And which was so sold to Gabriel } 25 10 10 { rather the Hundreds  
Taylor, pursuant to the said Survey.----- of Bodenham and Co-  
warn, lying in the  
Hundred of Broxash.

We say the following Orders, which demonstrate that these five Hundreds of Bodenham, Cowarn, Kingston, Stretford, and Burghill or Buckingham's Lands, within the County of Hereford and Marches of Wales, with all their Royalties, Franchises, &c. and all the Mannors, Lands, Tenements, &c. and other Advantages whatsoever, that were, or hereafter were to be, annex'd to them; and all to the Duchy of Lancaster by the Act of Parliament passed in the 2d Year of H. 5. were sold to the said Gabriel Taylor as Fee-Farm Rents, &c. belonging to Charles Stuart their murther'd King...Do in the clearest Manner likewise shew the Folly, as well as the Villany of those wicked Men who governed in those dreadful Times.

Third Survey in 1653.

According to an Order of the Honourable Trustees for Sale of the Fee-Farm Rents, &c. heretofore belonging to the late King, bearing date the 1st of June 1653, ordering us, whose Names are hereunto subscribed, to distinguish the Value of the County Courts from the Hundred Courts of the Hundreds of Hereford; which was formerly survey'd and returned by us to the said Trustees with the Values together. We do hereby, in Obedience to the said Order, distinguish the said Values, and certify them under our Hands this 5th of July 1653, accordingly, viz.

This View of Distinguishing the uncertain Perquisites of the County Courts from the Hundred Courts, was taken 5 July 1653.

Vide the Copy of this Survey taken out of the Augmentation Office, N<sup>o</sup> 27.  
Attested by Mr. Batteley.

	Communibus Ann. per Survey.	Hundred Courts valued apart.	County Courts va- lued apart.	Broxash Hundred.
The Perquisites of the Hundred Courts, and County Courts were valued together communibus annis at	l. s. d. 13 6 8			
Whereof the Perquisites of the Hundred Courts were valued at		l. s. d. 10 7 0		
And the Perquisites of the County Courts were valued at			l. s. d. 2 19 8	

Jeremy Baines.  
Samuel Cottman.  
Job. Hadocke.

By



By observing the Mannor and Method of these Surveys, these Inferences are evidently to be drawn from them.

Observations upon the said three Surveys.

That the sole Purpose and Intent of them was to sell and dispose of Earl *Coningsby's* said five Hundreds of *Kingston*, *Bodenham*, *Burghill*, *Cowarn*, and *Stretford*, as if they had been the King's.

Observations on the 1st Survey.

For the 1st Survey, in 1650, mentions Hundreds within the Hundred of *Broxasb*, by which is meant Earl *Coningsby's* Hundreds of *Bodenham* and *Cowarn*, they being in the same Survey particularly named; but that not sufficiently disguising their Intent, because Earl *Coningsby's* Hundreds of *Bodenham* and *Cowarn*, do so plainly appear, by that Survey it self to be distinct from the County Hundreds:

Observations on the 2d Survey.

2d. They then caused the 2d Survey, in 1652, to be taken (which is of the same seven Hundreds only, as are mention'd in the 1st Survey) and in this 2d Survey, all that relates to the Hundreds of *Bodenham* and *Cowarn* which lye in the Hundred of *Broxasb*, is comprised under the Title of the Hundred of *Broxasb*, without mentioning Hundreds within the Hundred of *Broxasb*, as the 1st Survey does; but yet in the Particular of the Common Fines contained in that 2d Survey, the said Hundreds of *Bodenham* and *Cowarn* are mentioned particularly by Name.

Gabriel Taylor contracts to purchase all contained in the said two Surveys.

And now these Surveyors having placed the said Hundreds of *Bodenham* and *Cowarn* under the Title of *Broxasb* Hundred, which is a County Hundred, as they did also the other three Hundreds belonging to Earl *Coningsby*, under some other of the seven County Hundreds, in the said two Surveys specified. They now thought, they had done enough, to disguise the Earl's five Hundreds, under the Title of the County Hundreds, and to enable them to sell his said five Hundreds, as if they had been the King's; and upon this Presumption, they did upon this Survey make a Contract, 14 Decemb. 1652, to sell the same to *Gabriel Taylor*, as Part of the Possessions of the King.

Observations on the 3d Survey. But he, after the 3d Survey, takes them as Fee-Farm Rents.

But after all this Artifice *Gabriel Taylor* found he could not get the Revenues of these Royalties and common Fines, paid to him, under colour of the Ordinance for Sale of the King's, Queen's, and Prince's Honours, Mannors and Lands; they then had Recourse to the Ordinance made in 1649, for Sale of the King's Fee-Farm Rents. And thereupon, to supply and cure that Defect, they caused the said 3d Survey to be taken, the 5th of July 1653, whereby those Royalties and common Fines are brought under the Denomination of Fee-Farm Rents belonging to the King; and thus *Gabriel Taylor* became Purchaser of all contained in the said three Surveys.

But



But yet notwithstanding all these Precautions taken in dressing up these three Surveys to serve their Purpose, *Gabriel Taylor* could not get into the Receipt of the Revenues of the said Royalties and common Fines, being interrupted by those that then were in Possession of the said five Hundreds of *Kingston*, *Bodenham*, *Burghill*, *Cowarn*, and *Stretford*, under the Sequestration of *Earl Coningesby's* Grandfather's Estate.

But could not get into Possession, being interrupted by the Sequestrators of *Earl Coningesby's* Grandfather's Estate.

For it is to be observed, that after the Ordinance of Sequestration, which was made in 1643, the said Estate of *Earl Coningesby's* Grandfather remained under Sequestration, as his Estate, and no Attempt was made to dispose of it, as Parcel of the King's Estate; neither did the then governing Parliament lay their Hands upon the King's Estate 'till after his Death; nor caused any Surveys to be made thereof, 'till those two Surveys herein before mention'd, taken in 1650 and 1652, by vertue of the Ordinance of Parliament made in 1649, for Sale of the King's, Queen's, and Prince's Honours, Mannors, and Lands, and that Survey taken in 1653, by vertue of the Ordinance of Parliament made in 1649, for Sale of the Fee Farm Rents belonging to the then late King.

And now *Gabriel Taylor*, to remove the Difficulties he met with in getting into the quiet and full Enjoyment of the Revenues of the said five Hundreds of *Kingston*, *Bodenham*, *Burghill*, *Cowarn*, and *Stretford*, belonging to *Earl Coningesby's* Grandfather, had Recourse to the Legislative Power, and procured an Act of Parliament to confirm and establish this Sale, as a Sale of Fee Farm Rents belonging to the King. And accordingly,

Till he had procured an Act of Parliament to quiet Purchasers of Fee Farm Rents in their Possession.

Upon the 8th of September 1653, An Act or Ordinance of Parliament was passed, entitled, *Explanations touching Fee Farm Rents, and finishing the Sale of them.* Which Act is in these Words following.

8 Sept. 1653, An Act or Ordinance passed for that Purpose. Vide *Scobell's* Acts and Ordinances, fo. 238.

Whereas by several Acts of Parliament, viz. one, 11 Marth, 1649, entitled, an Act for selling the Fee Farm Rents belonging to the Commonwealth of England, formerly payable to the Crown of England, Dutchy of Lancaster, and Dutchy of Cornwall: And the other, 30th August 1650, entitled, an Act for the further Explanation of the former Act; and by another Act of Parliament of the 6th of February 1650, entitled, an additional Act for Sale of the Fee Farm Rents, and for the doubling of Money thereupon: The said Fee Farm Rents, and other Rents are declared a Security to the Lenders of Money thereupon doubled: And whereas some Part of the Moneys lent upon the said Security is yet unsatisfy'd, and several of the said Fee Farm Rents, Rents reserved, and other Rents, have been sold by the said Trustees, according to the Powers given to the said Trustees by the aforesaid Acts:

Tenor of the Ordinance. Preamble of it.

Recites 3 former Acts, touching Fee Farm Rents.

S

But



That several Rents had been sold, but the Purchasers could not enjoy the same, they being withheld by the Owners of the Lands out of which the Rents were issuing.

But the Purchasers cannot receive and enjoy the same according to their Contracts and Purchases; but the same are detained and withheld from them by the Owners, Tenants, and Occupiers, of the Mannors, Lands, Tenements, and Hereditaments, out of which the said Fee Farm Rents, and other Rents, were issuing, upon Pretence that several of the Mannors and Lands late forfeited to the Commonwealth for Treason, out of which the said Fee Farm Rents, and other Rents, were issuing, have, since the said Fee Farm Rents, and other Rents, were vested and settled in the Trustees, as aforesaid, been by Acts, Orders, and Ordinances of Parliament, vested and settled in other Persons, and their Heirs, by Colour whereof, such Persons as derive their Interests under such Acts, Orders, and Ordinances, do not only claim the Lands so vested in them, but expect to hold the same totally discharged from the said Rents, to the Payment whereof the Estates forfeited were liable, whereby the Purchasers are greatly damnified, the Security much impaired, and the Commonwealth deprived of the Benefit arising by Sale of the said Fee Farm Rents, and other Rents, as aforesaid.

Enacting Part.

That the Lands charged with such Rents shall be for ever liable to pay the same.

And shall be paid to the Trustees or such Persons to whom they have sold the same.

And the Purchasers shall have the like Powers for Recovery of the same, as any other Purchasers might, by virtue of the aforesaid Acts of Parliament.

For Remedy whereof, be it declared, enacted, and ordained, and it is enacted, declared, and ordained, by this present Parliament, and by the Authority of the same, That all and every the Mannors, Lands, Tenements, and Hereditaments, which are charged with, or liable to the Payment of any Fee Farm Rents, Rents reserved, or other Rents, at the Time of the making of the said first mention'd Act; which said Fee Farm Rents, Rents reserved, and other Rents, were vested and settled in the said Trustees, and their Heirs, as aforesaid, be and are hereby charged with, and shall and do stand for ever liable to the Payment of the respective Fee Farm Rents, Rents reserved, and other Rents, which they so formerly stood chargeable with respectively, and shall and do from Time to Time for ever, pay and satisfy the same to the said Trustees and their Heirs, in Case they have not sold the same; and to such Person and Persons and their Heirs, to whom the said Trustees have or shall hereafter sell the same, according to the Powers and Authorities to them given, by the several Acts of Parliament aforesaid, into whose Hands soever the said Mannors, Lands, Tenements, or Hereditaments, have come or hereafter shall come, and shall be paid and satisfied to the respective Purchasers and their Heirs respectively, any Act or Order, or any Construction thereupon made to the contrary in any wise notwithstanding: And the said respective Purchasers, and their Heirs, shall have all such and the like Powers, Authorities, Ways, and Means, for the Recovery of the said Rents, and all Arrears thereof due since the respective Purchases made of the same respectively from the said Trustees as any the Purchasers of any other Fee Farm Rents of or from



from the said Trustees, may, might, or ought to have, by vertue of any of the aforesaid Acts of Parliament, or otherwise howsoever.

And now it was that *Gabriel Taylor*, in vertue of this Ordinance, came into Possession of, and was established in the Receipt of the Revenues of the said Royalties and common Fines belonging to *Earl Coningsby's* said five Hundreds of *Kingston, Bodenham, Burghil, Cowarn, and Stretford*, as Fee Farm Rents belonging to the Crown.

After this Ordinance pass'd, *Gabriel Taylor* gets Possession of what he had so purchased.

When all other Persons Spiritual and Temporal, who had adhered to the just Cause of their murther'd King and oppress'd Country, were restored to their Rights, Liberties, and Possessions;

The present *Earl Coningsby's* Grandfather and Father, who had been (so as before is proved) deprived by several Ordinances of Parliament, of their vast Estate real and personal, with all the Deeds, Writings, and Evidences thereto belonging, (even from the 31st of *March 1643*) found their Misery and Oppressions to encrease rather than abate by the Restoration.

Anno 1660.  
Remarks upon the last 18 Days Sessions of the long Parliament, and what Steps were therein taken, chiefly designing the utter Ruin of *Earl Coningsby's* Grandfather and Father, and how they were wholly neglected after the Restoration, and no Care taken to restore them to their Estates, (as was of others) altho' they had suffered so much both in their Estates and Persons, in the Cause of *King Charles I.*

The Reasons of this inhumane and barbarous Partiality to this unhappy Family, will most plainly appear to all such who will spend but one Hour in reading over the 59th Volume of the Commons Journals, which contain the Transactions of the Parliament (which sat down on the 3d of *November 1640*) from the 21st of *February 1659*, to the 16th of *March 1659*, when the said long Parliament was dissolved, and a new one ordained to be called, and to sit on the 25th of *April 1660*.

Wherein they will see to how small a Number that long Parliament was reduced, there being present but 113 (on *February 23d, 1659*, when the Council of State, which was to govern them and these unhappy Nations, was constituted) of the 513 Members of which that Parliament consisted on the 3d of *November, 1640*.

And since they will in that short three Weeks Sessions find that *William Lenthall*, Speaker of the said Parliament, in all its various Transmigrations, from the first Day of its Sitting in 1640, to the Day of its Dissolution in 1659.

*Col. John Birch*, who likewise had kept steady to all its Changes, and who was now one of the Council of State.

*Sir Gilbert Gerard*, Chancellor of the Dutchy of *Lancaster*, and likewise of the said Council of State,

With *Nicholas Lechmere*, Attorney of the aforesaid Dutchy, and who had been the same to *Oliver*, when *Bradshaw* was Chancellor,

Had the greatest Share in contriving, preparing, and passing all the Bills relating to the Temporalities and Spiritualities



ties belonging to those unhappy Delinquents, amongst which Earl *Coringesby's* Grandfather, and the Bishop of *Hereford*, were two of the first who had been doom'd to Ruin and Destruction by numberless Ordinances, from the 31st of *March* 1643, to the 15th of *March* 1659, when to perpetuate the Misery of these loyal Men, who were still call'd Traytors to the Commonwealth, and to secure the Estates of those unhappy Delinquents, to the Posterity of such who have been since declar'd by divers Acts of Parliament Traytors, not only to their King but to their Country.

The Steps taken for these Purposes were Ordinances for

An Ordinance was brought in by Mr. Attorney *Lechmere*, and passed the said 15th of *March* 1659, for the Recovery of publick Debts and other Duties belonging to the Commonwealth.

bringing in Delinquents Rents :

For bringing in the Rents and Revenues of Delinquents, and Popish Recusants Estates.

Sueing them on Bonds given to the Protectors.

And for enabling the impious Sequestrators to sue and persecute the said miserable Delinquents for the Money remaining unpaid of Bonds and other Securities given by them to *Oliver* Lord Protector, and to *Richard* Lord Protector his Son ; and all which Sums for Rents, Revenues and Moneys due upon Bonds, and other Securities,

The Money to be brought in by the 22d of *April*, least the next Parliament should revoke it.

Were strictly by the said Ordinance enjoined to be paid to their then Treasurers, on or before the 22d of *April* 1660, for fear the Parliament, which was ordained to be called and sit but three Days after, should rescue these poor before undone Men, out of their voracious Hands ; and when on the same 16th Day of *March* 1659, an Ordinance ( likewise brought in by Col. *Edward Harley* ) was pass'd,

For Confirmation of Ministers that should use the Directory.

For Confirmation of all Ministers settled in any Parsonage, Vicaridge, or Hospital, within the Commonwealth, provided they officiated according to the Directory then established, or not otherwise.

Before we shew how effectually these two last Ordinances (most certainly calculated for that Purpose chiefly) brought to the last Degree of Misery *Fitz-William* and *Humphry Coringesby* (Father and Grandfather of the present Earl) to the last Moment of their respective Lives.

We think it necessary to give the World a short View how the rest of the 18 sitting Days of this memorable Session was taken up.

For settling the Militia.

First, then in settling the Militia in such Commissioners as this narrow Commonwealth of 103 Men, governed by four or five, could confide in, and the Choice as appear by the Reports made by Col. *John Birch*, was intirely left to that Ready Adhearer to the Commonwealth Cause, whatever Shape



Shape the enthusiastick Governors of those dismal Times thought proper to turn it into.

In the disposing by Ordinances of Parliament of all the beneficial Employments of the Law among themselves and their Dependants.

For disposing beneficial Places in Law on themselves, and their Dependants.

In rewarding their own Creatures out of the Estates of the King and Kingdom's Friends, or by Orders on their new erected Council of State, to pay them Sums out of their illegal Treasury.

In putting into a State of Security such Men as *Lambert*, Major *Sallway*, &c. who though too stubbornly honest (if such virulent Spirits could be so in any thing) to join with four or five such Cutters to Pieces of our glorious Constitution; yet were by them thought too worthy to be made a Sacrifice of, to the Ghost of their murdered King, or to their injur'd, impoverish'd, and oppress'd Country.

For Security of *Lambert* and other Officers.

And lastly, having settled the Qualifications of such Men who were to be capable to be elected Members of the Commons in the next Parliament, ordered to sit the 25th of April 1660.

Settling the Qualifications of Members for the next Parliament.

As likewise the Qualifications of the Clergy, as above.

The last Vote of this short and last Sessions of this dreadful and long Parliament relating to the House of Lords, we find in the Words following.

Friday the 5th of March, 1659.

Afternoon.

*Mr. Annelley reports from the Committee appointed to go to General Monk, That the said General, upon the reading the Clause in the Act for the Militia, rested well satisfied.*

*A Bill ingrossed for dissolving the Parliament begun and holden at Westminster the 3d of November 1640, and for calling and holding a Parliament at Westminster on the 25th of April, 1660, was this Day read a 3d Time.*

Bill pass 16 March 1659, to dissolve the Long Parliament.

A Proviso was tender'd to this Bill in these Words:

*Provided always, and be it declared, That the single actings of this House, enforced by the present Necessity of the present Times, are not intended in the least to infringe, much less take away, that ancient native Right, which the House of Peers, consisting of those Lords who engaged in the Cause of the Parliament against the Forces raised in the Name of the late King, and so continued until 1648, had, and have to be Part of the Parliament of England.*

*Bill and Proviso passed, and after having appointed the 6th of April as a Fast,*

*This Parliament was dissolved.*

T

Thus



Thus having shewed how that Long Parliament, which begun in 1640, was, in 1659, dissolved by themselves, and a new Parliament appointed to be held the 25th of April 1660, which was brought to pass by General Monk, in order to pave the Way to the Restoration of King Cha. II. and consequently of the ancient Laws of the Realm, and also to restore such Persons to their Estates, as had lost them under the Notion of being Delinquents against that Long Parliament and Commonwealth Government; which how this new Parliament proceeded to do, and how fully and effectually to some Persons, but with what Negligence and over-passing of others, (particularly of Earl Coningsby's Grandfather and Father) will appear by so much of the Proceedings of this new Parliament, as is hereafter set forth, and is recorded in the Journals of the House of Lords; wherein it appears, several Orders were made for restoring the Queen, and several Lords, to the Possession of their Estates, which had been sequestred and sold; of which, for Example Sake, we shall instance only two, which are the Orders made for restoring the Marquis of Winchester, and the Lord Craven, to their Estates.

25 April 1660, new Parliament met.

Upon Wednesday the 25th of April, in the 12th Year of the Reign of King Cha. II. the Parliament met according to the Appointment of the last; and the Earl of Manchester was by the Lords appointed Speaker of their House pro tempore, and, on the 1st of May, voted the King's Return.

5th May, a Bill brought in to give a Sanction to their Proceedings.

The 5th of May, a Bill was brought from the House of Commons to the Lords, entitled, *An Act for removing and preventing all Questions and Disputes concerning the assembling and sitting of this present Parliament; which Bill was the same Day read a 1st and 2d Time in the Lords House, and committed to a Committee of the whole House.*

6th May, Lords order to stay waste, &c. on Lord Winchester's Lands.

And the 6th of May, as a Preliminary to the restoring the Marquis of Winchester to such Estates as he had lost by Delinquency, it was ordered by the Lords, that a Stay should be made of delivering Possession to such as had purchased any Part thereof, and to stay waste thereon, and also to stay the Rents in the Tenants Hands till further Order.

7th May, Order to proclaim the King.

The 7th of May the Lords ordered, that his Majesty should be proclaimed King of England, Scotland, France, and Ireland, and of the Dominions and Territories thereunto belonging, and the Time to be further considered of. The like was the same Day resolved by the House of Commons.

And the next Day the King was proclaimed.

10th May, Order to stay waste on the King's Lands, and Lord Craven's.

The 10th of May an Order was made by the Lords, for staying waste in the King's Lands; and also another for staying waste in the Lord Craven's Lands.

The



The 19th of May it was ordered by the Lords, that all Writings, Evidences, Books, Court Rolls, Services, and Papers that are at Worcester-House, Gourney-House, and Drury-House, belonging to the late King, Queen, the Crown of England, and the Lord Craven, be secured by Sir Edward Sawyer and Sir Cha. Herbert, and Inventories taken of them.

19th May, Order for Writings to be delivered to the Clerk of the House of Lords.

The 29th of May, the King returned to London, and the House of Lords went to wait upon him at Whitehall.

The 1st Day of June, the King came to the House of Lords, and passed an Act, entitled, *An Act for removing and preventing all Questions and Disputes concerning the assembling and sitting of this present Parliament: Whereby it is enacted, That the Parliament begun and holden at Westminster 3d Nov. 16 Car. 1. is fully dissolved and determined: And that the Lords and Commons now sitting at Westminster, in this present Parliament, are the two Houses of Parliament, and so shall be, and are hereby declared, enacted, and adjudged to be to all Intents, Constructions, and Purposes whatsoever, notwithstanding any Want of the King's Writs of Summons, as if this Parliament had been summoned by Writs in his Majesty's Name, and as if his Majesty had been present in Person at the assembling and commencement of this present Parliament; provided that this Parliament may be dissolved by his Majesty after the usual Manner, as if the same had been summoned by Writs in his Majesty's Name; provided also, that his Majesty's Royal Assent to this Bill, shall not determine this present Session of Parliament.*

1st June the King passed the Act to confirm and establish this Parliament.

The Tenor of the Act is, that hereby this Parliament is declared to be the two Houses, altho' not summoned by the King's Writ.

The 6th of June, an Order was made for restoring the Lord Craven to his Estate, in these Words. *Upon the Report of the Lords Committees for Petitions, that the Estate of the Lord Craven, both real and personal, was voted to be confiscated, without either Hearing, or Summons, or Charge against the Lord Craven, or any Proof of that which is pretended to be the Offence, and without Trial by his Peers: (which is contrary to the fundamental Laws of this Kingdom) It is therefore ordered by the Lords assembled in Parliament, that the said Votes concerning the seizing and selling of the said Estate, and all Proceedings thereupon, be, and are hereby declared to be null and void: And that the Lord Craven be, and is hereby restored to the Possession of his Estate, both real and personal, in whose Hands soever the same is, together with all Arrears of Rent and Profits, which have been unjustly kept from him, and to all such of his Goods or Moneys as are in the Hands or Custody of any Sequestrators, or Treasurers of Committees, and to all Timber and Woods cut down, and remaining upon the Premises; and hereof all Persons whatsoever are to take Notice, and yield Obedience hereunto accordingly.*

6th June, an Order of the Lords to restore Lord Craven to the Possession of his Estate.

The



6th June, A Conference between the Lords and Commons about the Queen's Jointure.

The same 6th of June, a Conference was appointed between the Lords and Commons, for taking into Consideration the Queen's Jointure, that for the future it may be duly paid.

The 18th of June the Lords made an Order to stay waste on the Queen's Jointure, and the King's Lands.

The 23d of June an Order was made by the Lords, to restore the Lord Marquis of Winchester to the Possession of some Lands detained from him.

29th June they came to a Resolution she should be restored to certain Lands, Parcel of her Jointure.

The 29th of June the Lords and Commons came to a Resolution, that the Queen should be restored to the Possession of the Mannors and Lands after mentioned, being Parcel of her Jointure, and purchased by Persons whose Estates are liable to Forfeiture. Then the several Mannors and Lands being particularly named; it is likewise ordered, that the Rents in the Hands of the Tenants, or any other Person, not paid over to the Purchasers, shall be paid to the Use of the Queen.

The Mannors of Marden and Lene omitted in that Resolution.

But no mention is made in the said Particular of the Mannors of Marden and King's-Lene, then Parcel of the Queen's Jointure; (now belonging to Earl Coningsby) and which, together with other Mannors belonging to Earl Coningsby's Grandfather, had been sold by the Sequestrators; whereof Part of the Manner of King's-Lene was sold to Sir Robert Harley, and the Mannor of Marden to one Wroth Rogers, a Taylor, but become a Colonel, and Governor of Hereford, and bought it 11th April 1650, according to the Valuation made thereof by a Survey taken under the Title of Parcel of the Possessions of Henrietta-Maria, the Relict of Char. Stuart, late King of England, and calls it the Mannor of Marden, with its Rights, Members, and Appurtenances, in the County of Hereford, and particularizes the Royalties, Quit-Rents, and other Rents and Profits, and the particular Parcels of Land belonging to it; and mentions, that the same were held by Fitz-William Coningsby, Earl Coningsby's Grandfather, by Lease from Queen Eliz.

Vide a Copy of the Survey herein mentioned, relating to Marden, in the Surveyor General's Office, N<sup>o</sup> 29. Attested by Mr. Cartwright.

3d July, the Lords send to the Commons for Writings in their Clerk's Hands.

The 3d of July a Message is sent by the Lords to the Commons, to desire that Mr. Jeslop, their Clerk, may deliver all such Writings and Evidences, which are in his Hands, as concerns any Peer, into the Custody of the Clerk of the House of Peers. These were such Writings as had been seized by the Sequestrators, in Virtue of an Ordinance of the Commonwealth.

16th, Order the Queen to be restored to all her Jointure.

The 16th of July it was ordered by the Lords, that the Queens Majesty shall be restored to the Possession of all her Jointure. It being now observed, that the former Order of the 29th of June had only taken in Part of her Jointure.

The 18th of July an Order was made, for putting the Marquis of Winchester into present Possession of his Estate sold without his Consent.

The



The 14th of August, an Order was made to restore the Marquis of Winchester to his Estate, in these Words: *The House being this Day informed, that the Estate of the Marquis of Winchester was illegally disposed of, aliened, and sold, without either Hearing, Summons, or Proof of any Charge against the said Marquis, and contrary to the Privilege of Peerage, and the fundamental Laws of the Land, it is ordered by the Lords assembled in Parliament, that the said Dispositions, Alienations, and Sales of the Estate of the said Marquis of Winchester, be, and are hereby declared to be null and void; (excepting those Lands which he hath consented to be sold) and that the Marquis of Winchester be, and is hereby restored to the Possession of his Estate, in whose Hands soever the same is, together with all Arrears of Rents, Fines, and other Profits, which are now in the Tenants Hands, or in any other Persons not accounted for, and to all Timber and Wood felled off any Part of the said Estate, and to all Materials of Houses and Buildings taken off any Part of the said Estate; and hereof all Persons are to take Notice, and yield Obedience hereunto accordingly.*

14th, Order to restore the Marquis of Winchester to his Estate.

The said first Day of June another Act was passed, entitled, *An Act for Confirmation of judicial Proceedings; wherein is this Clause. And be it further enacted by the Authority aforesaid, That all Recognizances, Obligations, or other Securities, made or given to the Keepers of the Liberty of England, or to Oliver Lord Protector of the Commonwealth of England, &c. or to Richard Lord Protector of the Commonwealth of England, &c. and not pardoned or discharged by any Act passed or to be passed this present Parliament, or otherwise, other than such Recognizances, Obligations, and Securities, as have been made and given (to any pretended Power or Persons aforesaid, or to any deriving or pretending to derive Authority from them) by any Person or Persons, for or by Reason of their Adherence to his Majesty, or his said late Royal Father, or related to, or arising only upon, or in Respect of the late Troubles: All which are hereby declared to be void, and to be delivered up to be cancelled.*

1st June an Act passed to confirm judicial Proceedings.

Bonds given to the Usurpers by Persons who had adhered to the King, made void by a Clause in this Act.

It is to be observed, that the Day before the Dissolution of the Long Parliament, Mr. Attorney Lechmere reports a Bill enabling to sue Bonds and Securities in the Name of Oliver Lord Protector, or Richard Lord Protector, which was the same Day read the 1st and 2d Time, and passed, under the Title of an Act for Recovery of the publick Debts, and other Duties belonging to the Commonwealth. And now all the Bonds and Securities which had been extorted from Persons who had adhered to the King, for their so doing only, were to be put in Suit against them, in Virtue of this Act of the Long Parliament: But for a Remedy against such unjust and

Which repealed the Act made 15th March last by the Long Parliament for suing such Bonds.



The Keepers of the Liberties of England, and the Protectors, by this Act declared Usurpers.

Remark upon this Act.

tyrannical Proceedings, all such Securities are, by this above-written Clause in the said Act passed 1st of June 1660, made void.

Also in the said Act passed the 1st of June 1660, there is another Clause, whereby it is declared and enacted, That the Names and Styles of Keepers of the Liberties of England, and Protectors of the Commonwealth, under which several Acts had passed, are most rebellious, wicked, trayterous, and abominable Usurpations, detested by this Parliament, as opposite, in the highest Degree, to his Majesty's undoubted Right, and violating the Rights and Privileges of Parliament, and both Houses thereof, now assembled.

So that by this Act of Parliament, all those Persons that were dispossessed of their Estates, and had them sequestred by those usurping Powers, were remitted to their ancient Rights and Titles; and the said Marquess of Winchester, and Lord Craven, and several other Lords, whose Estates had been sequestred and sold, were, in Virtue of Orders of the Lords House, restored to the Possession of their Estates; but such Persons, whose Estates had been sequestred and sold, and could not obtain the Favour of such Orders from the Lords, to restore them to their Possessions, (altho' by the said Clause they were remitted to their ancient Rights or Titles) yet for want of such Orders and Authority from the Lords, could not regain the Possession of their Estates.

And amongst which Sett of miserable Men, who had the same Right with others to be restored to their Estates by the Act of Parliament last mentioned, and were not, *Fitz-William* and *Humphrey Coningesby*, Grandfather and Father of the present Earl (notwithstanding they had been deprived of their great Possessions, lying within the Counties of *Hereford*, *Radnor*, *Worcester*, *Salop*, *Gloucester*, *Leicester*, *Nottingham*, *Darby*, and *Hertford*) by the first Ordinance for sale of notorious Delinquents Estates, real and personal, pass'd the 31st of March 1643.

And who likewise when the City of *Hereford* was taken by *Sir William Waller* in the Month following, lost their most precious Liberty, and often, during their barbarous Confinement, (were threatened with the Loss of their Lives) we say, the said *Fitz-William* and *Humphrey Coningesby* will, beyond all Comparison, appear by the following notorious Facts, to have been the most unfortunate Delinquents within this then unhappy Kingdom. For

*Fitz-William Coningesby* was but Tenant for Life, by the Settlement made in the Year 1619, when the Rental of the Mannors and Lands aforesaid (besides Woods and Royalties, &c.) amounted to 4500*l.* per Ann. present Rent, and in Reversion to 9000*l.* per Ann.

And



And being robbed of all his Evidences, and his whole Estate under Sequestration for the eighteen Years that unparallel'd Tyranny lasted, he was forced, on the hardest Terms the usurping Usurers wou'd impose, to enter into several Statutes, Judgments, Recognizances, &c. and particularly into one of 10000 *l.* to Sir *Tho. Allen*, the Lord Mayor of *London* in the Year 1659, in order to raise Money for his Subsistence during the eighteen Years Usurpation; and likewise to enable him to comply with the last most severe Ordinance of the Long-Parliament for bringing the Publick Debts owing to the two Protectors, and the Commonwealth, by Bond, or otherwise, and which Ordinance pass'd the 16th of *March* 1659, and which Debts were to be paid into the then Treasury, before the sitting down of the Convention; and for which, and other Debts, he was, before the Convention met, which was on the 26th of *April* 1660, made close Prisoner in the *Fleet* (his whole Estate being in the Possession of the said Sir *Thomas Allen*, and other his Creditors) and in which Prison he remain'd confin'd till the Year 1668.

*Humphrey Coningsby*, Father of the present Earl, having been marry'd about the Year 1655, to Sir *Arthur Loftus* his Daughter of *Rath-Farnham* in the Kingdom of *Ireland*, was, some short Time after the Restauration, with his Wife and the present Earl, his only Son, carry'd into *Ireland* by the said Sir *Arthur Loftus*, and where they were maintain'd at his Expence.

And this was in order to keep the said *Humphrey*, who by this Time, from the Misery he had undergone from his first entering into the World, was become melancholy; and who was Tenant intail of the said great Estate in the several Counties aforesaid, in order to preserve the same for his Grandson the present Earl; but so it happen'd, that Sir *Arthur* dying soon after, that just Design of his in Favour of his Grandson was render'd abortive, by the present Earl's Mother bringing his melancholy Father for *England*.

And when, soon after, so much Lands in the out Counties, were, by the Father and the Son, sold for the Payment of *Fitz-William's* Debts, as by one Account of the Trustees appointed to sell the same, amounted to 60000 *l.* and the said *Fitz-William Coningsby's* Debts not paid; but he left to die a Prisoner in the Year 1668, tho' then allow'd to be at his House at *Hampton-Court*, with two Keepers.

And *Humphrey Coningsby* his Son, some few Years after dy'd also (his melancholy having increased upon him) in the Custody of Capt. *Gorge*, a *Barbadoes* Merchant, who having, on Pretence of Money lent to the aforesaid melancholy Gentleman trusted to his Care, had possess'd himself of the most ancient Seat of the Family of the *Coningsby's* in *Worcestershire*  
and



and which had been in the said Family above 200 Years before *Hampton-Court* came to their Hands. And then, having contrived to put his the said Earl's Mother into the Prison of the *King's-Bench*, he marry'd the said Earl, then seventeen Years old, to his eldest Daughter, against his Mother's Will, who was then his Guardian. And when Earl *Coringesby's* Grandfather dy'd, he left one Major *Tbo. Coringesby*, who had been, before the Wars, a Servant in his Family (and whose Daughter, then about 18 Years of Age, tho' he was then 73, he was to have marry'd if he had survived a Week) his sole Executor.

By which Means, as there was nothing but the bare Walls of that great House left by the Sequestrators, in the Year 1643, to *Fitz-William Coringesby*, so did he leave the same great House, in the same plunder'd State, to the Mother of the present Earl (who by meer Accident was just arrived, some Days before her Father-in-Law's Death, from *Ireland*) to take Possession of; and she was forced to borrow a Bed to lye on of the Tenant, one *Mason*.

And which Tenant had some Time before taken a Lease, of *Fitz-William Coringesby*, of the Demesne of the two Mannors of *Hampton-Richard* and *Hampton-Mappenor*, for 21 Years, at 360 *l. per Ann.*

But in Combination with the said *Tbo. Coringesby*, the Executor, who kept the said Lease from the Knowledge of the said Earl's Father and Mother, and afterwards from the said Earl, he paid, from the said Year 1666, but 260 *l.* for the Demesne Lands aforesaid, till after twenty Years Lawfuits between the said Executor and the present Earl's Father, till his Death, his Mother as Guardian before his Marriage, and his Father-in-Law, *Gorge*, as his Guardian after, he the said Executor delivered up the first Lease uncancell'd for 21 Years, at 360 *l. per Ann.* And likewise *Eaton's* the false Steward's Paper before mention'd to be given to the Sequestrators in the Year 1643.

And wherein the same Demesne Lands which *Mason* by this Cheat had paid after the Death of *Fitz-William*, for 21 Years; but 260 *l. per Ann.* were estimated at 570 *l. per Ann.*

During the Time that the said Earl *Coringesby* was under the Guardianship of his Wife's Father, an Agreement was made between the said Major *Coringesby* the Executor of the Grandfather, and the Guardian of the Grandson. In Consequence whereof, there was paid, out of the said Earl's Estate, 500 *l.* in Money and in Lease of Land for Lives, and Lands in Fee-Simple, to neither of which he had the least Pretence to as Executor, to the Value of above 700 *l.* more, and which Lands and Leases were confirmed to him after the Earl came of Age.

And



And all the Advantage that accrued to the Family by this Bargain, was only the Delivery of such like useless and insignificant Deeds and Papers to the present Earl, as were the Lease of the Demesnes of *Hampton-Richards* and *Hampton-Mappenor* to *Mason* for 21 Years, long before expired, and the Copy of that false Steward's *Thomas Eaton's* Rental of the Great Estate of the Family, which he gave to the Sequestrators in the Year 1643; whereby they were so fully informed, that it was not possible for his unhappy (by him betrayed) Master to preserve one Acre of Land, or one Scrip of Parchment or Paper relating to their vast Possessions, from the voracious Inquisitors of those dreadful Times.

And since, *Richard Hopton*, Esq; who was one of *Oliver's* Majors of Horse, and one of the Commissioners for raising the Land-Tax and Excise within the then unhappy County of *Hereford*, the new invented Taxes of that Iron Age, a Lawyer during the Reign of King *Charles*, and a *Welsh* Judge when King *James* the Second ascended the Throne, drew both the open and secret Articles between the Executor and Guardian aforesaid.

And since the said Parliament-Major had got a good Estate, being Part of the Five Hundreds, from the Family of the *Coringesby's*, during the Sequestration:

And the Executor had got Tythes and Lands to a considerable Value, besides what the Articles gave him:

And the present Earl's Father-in-Law and Guardian had, without paying one Farthing for the same, possessed himself of 500*l.* per Ann. the most ancient Seat of the *Coringesby's* in *Worcestershire*.

It's certain, that whatever Deeds, Writings, or other Evidences fell into their Hands, that might give any Light to the abused Heir, the present Earl, of this ancient undone Family, they were either secreted, or utterly destroyed by them, in order to secure to each and every of this Triumvirate in Iniquity, and their Posterities, their ill-got Possessions, and under the several Titles, and those only, does

*Oliver's* Major's Executor, for he had no Child,

Major *Coringesby's* Daughter, for he had no Son,

And the Earl *Coringesby's* Father-in-Law, and Guardian's Grandson.

What each of their wicked Predecessors had robb'd from this ruin'd Family, during the Delinquency and Imprisonment of the Grandfather of the present Earl in the late Usurpation,

During the Melancholy of his Father,

And during the Minority of himself,

Enjoy at this Day.

X

And



And when it's further known, that the aforefaid Merchant *Gorges* (having been let into the Secret of this unhappy Family by his Brother *Dr. Gorges*, who marry'd the Sister of Earl of *Coningsby's* Mother) and had got Possession of his melancholy Father, and by most barbarously taking Advantage of his Weakness, likewise of the most ancient Branch of the Family's Estate, to the amount of 500*l. per Ann.*

In order to get the Writings belonging to the Mannor of *Rock* in *Worcestershire*, for so is this ancient Seat called, got into his greedy Hands by Means aforefaid,

He was forced to apply himself to one *William Hill*, Clerk, Son to *Miles Hill*, the Head of the Independent Sequestrators within the County of *Hereford*, and into whose Hands *Thomas Eaton*, the false Steward of *Fitz-William Coningsby* aforefaid, had most certainly deliver'd all the Deeds, Evidences, &c. belonging to the Estate of this Family, pursuant to the Ordinance of Delinquency past the 31st of *March* 1643, as aforefaid.

This *William Hill*, Clerk, the most wicked Son that ever was born to a wicked Father, was rotting then in *London* with the Pox, and without one Penny of Money to pay for his Cure, of which his miserable Circumstance the said subtil Merchant taking Advantage, he made an Agreement with him, on Condition that he would deliver into his the said Merchant *Gorges's* Hands all the Writings belonging to the Estate of the *Coningsby's*, he would not only pay an able Surgeon for fluxing him, and perfecting his Cure, but he would likewise give him a farther Gratuity. The Minister was inwardly cured; but God, as a Mark of Infamy which attended him to his Death, flatted the Flesh of his Nose, (which, before it fell, was as large a one) that it covered almost half his brazen Face.

And the Deeds and Evidences of the Family of the *Coningsby's* were, pursuant to the Agreement, and in Consideration aforefaid, delivered into the said Merchant *Gorges's* Custody.

And as this wicked Wretch was, by the common Consent of Mankind, stiled the Devil's Parson; so was

One *Nicholas Kyrwood*, a most infamous Attorney of those Times, having been thrown over the Bar for saying, He would rather in his Profession serve the Devil for Money, than God Almighty for nothing, was as justly called, the Devil's Attorney.

This Picture of his Master whom he chose to serve, (for so he literally was agreeable to the Figure by which this infernal Spirit is represented to us) having acted in Conjunction with *William Hill* aforefaid in the Affairs of this unhappy Family;



Family; and having by that Means got likewise some of the Deeds and Court Rolls into his Possession, it became necessary for the said Mr. *Gorges* to make Use of this Monster in Nature likewise, to get all such Deeds, Writings, &c. which related to secrete them, or produce them, as it would seem best to secure unto him, and his Posterity, the Mannor of *Rock*, got from the present Earl's melancholy Father, as before has been told.

So after he had marry'd his Daughter to the said Earl, and till he had got from the said Devil's Attorney also, such Evidences as he wanted relating to the Lands he had plundered from this unhappy Family, and now even from his own Daughter, he employed this most infamous amongst the whole Race of Men, for some Time, to be not only Steward of all his Courts, but, in Conjunction with the pockey Parson aforesaid, (his said Son-in-Law, and to whom he was then Guardian) Attorney, Solicitor, and chief Agent in all the distracted Affairs of this then mangled Estate; and by which Means, these three wicked Confederates ordered Matters so, that when the said Earl was, by his coming of Age, released from his false Father-in-Law and Guardian, and had discharged his two infernal Associates, he had not one Scrap of Parchment or Paper, besides his Deeds of Intail, to direct him, either to know even the Style of any of his Courts, and more particularly of the Five Hundreds of *Bodenham*, *Cowarn*, *Stretford*, *Kingston*, and *Burghill*, or where they were to be held, or any other Matter or Thing relating to the small Remnant of the vast Estate of this Family, which had been left by the publick Plunderers at the Restoration, or by (if possible) the before mentioned more infamous, (and most certainly) more unnatural Robbers.

And because we could not avoid setting forth the particular Inducement to the unnatural Father-in-Law aforesaid, (without doing the greatest Injury to this Case, and the just Pretensions of the Earl it sets forth) to hide from his betrayed Son-in-Law, and his own four Grandchildren, one whereof was a Son, which his Daughter had before this honest Guardian delivered up his Trust to her Husband, upon his attaining of the Age of 21 Years, (the Deeds, Writings, and Court Rolls of his reduced Estate) and which wicked Caution aforesaid, of secreting or destroying the Deeds, this greedy minded Man thinking sufficient to secure to his own and only Son, what he had so unjustly and unnaturally stolen from his then pretended beloved Daughter, and her four innocent Children: He the said Capt. *Gorges* having, during the Time, had the present Earl's unhappy Father entirely under his Power; so that as the World knows he could have obliged him



him to sign a Judgment for 80,000*l.* as well as the 800*l.* which he then prevailed with him to enter into, forced his Son-in-Law to give him a general Release, or otherwise, threatened him to make him pay, out of the small Fortune left him, the Principle and Interest due upon the said Judgment; and which the Earl was obliged to comply with, to save himself and Family from Ruin: And by no other Title than the Release aforesaid, does the Grandson, by the Son, hold the Mannor of *Rock*, the most ancient Seat of the Family of the *Coringesby's* in *Worcestershire* at this Day, from the Grandchildren of the Daughter.

Sorry we are, that the absolute Necessity of letting the World know the Reason, why this most manifest Right of the Earl's to all the Royalties, Rights, Members, and Appurtenances, &c. belonging to the five Hundreds of *Bodenham*, *Burghill*, *Cowarn*, *Kingston*, and *Stretford*, called *Buckingham's* Lands, within the County of *Hereford*, and annexed to the Dutchy of *Lancaster*, by the 2d of *Hen. 5.* and the several succeeding Kings of both Lines, as by the respective Statutes of *H. 6. Ed. 4.* and *H. 7.* do appear, has slept so long, should oblige us to set forth so much at large, the aforesaid melancholy (to call it no worse) Transactions in a private Family.

But a late unkind, as well as an unnecessary Suit, began and prosecuted with great Vehemence against the said Earl, by the Trustees and Guardians of young *Mr. Gorges's* Will, which all unbiass'd Men hold us farther excused, for any Thing before said on this Account.

And now we should be thought partial to the most vile Characters of *Hill* the Parson, and *Kyrwood* the Attorney, who had given up such Writings, &c. which related to the Mannor of *Rock*, into the Father-in-Law and Guardian's Hands, if we did not shew

The several Interests each of these two faithful Servants to their Master the Devil had, for ever to destroy, as far as in their Power lay, all the Grants, Court Rolls, Deeds, Evidences, and other Writings, relating to the five Hundreds of *Bodenham*, *Cowarn*, *Stretford*, *Kingston*, and *Burghill*, that could possibly give the least glimmering Light to the present Earl, then in his Nonage, or afterwards; whereby he, his Steward, or Agents, (had they been just to him, which they were not, as before in this Case is proved) could or might discover, that the least of those Royalties, Privileges, &c. (which appear by the numerous Records, and several Acts of Parliament, to be for ever inseparably annexed to them) had at any Time before belonged unto the said five Hundreds.

First



First then, *Kyrwood* the Attorney and Court-keeper's whole Estate lying within the Parishes of *Pembrudge*, *Eardisland*, and *Lyonball*, was stole by him at the Time of the horrid Rebellion from the Family of the *Coningsby's*, being an unquestionable Part of the Hundred of *Stretford*, one of the said five Hundreds granted in Exchange for the Manour of *Enishorn* in the County of *Denbigh*, and other Manours by Queen *Elizabeth* to the great Earl of *Leicester*, and sold by his Heirs or Assigns to Sir *Thomas Coningsby* in the Reign of King *James* the First, and then intail'd in the Year 1619, on the Marriage of the present Earl's Grandfather with the Lord *Abergavenny's* Daughter, and by which Deed of Entail long in the said *Kyrwood's* Possession, he knew the Earl's Right to be unquestionable to the said Hundreds, and consequently that his whole ill got Estate was by no other Way to be secured to him and his Posterity, than by destroying all such Evidences as might ever enlighten the Earl and his Descendants after him, to discover so notorious a Cheat.

And had not the great Disposer of all Things order'd it so, that the Earl was obliged, in Obedience to the Decree of Providence, and the Order of the House of Lords, to spend two and twenty Weeks in the Tower of *London*, the most noble Repository of the most valuable Records, not only relating to our most glorious of all Constitutions, but likewise to the Property of the happy People of this Kingdom, whom God has blest with living under it, and of having a real Hereditary Right transmitted to them from their great, their brave, and their honest Ancestors, for ever to enjoy it.

So effectually had these different Sets of traiterous Robbers cover'd their respective Theivings, by their wicked Methods before related, that,

Had it not been for the lucky Opportunity the present Earl had to search those Records, and the kind and indefatigable Pains, which Gratitude obliges him to own to Mr. *James Stewart*, one of Mr. *Toppam's* Deputies, in assisting him to make the Collection of the numerous Records contain'd in the Cases of *Lempster*, *Marden*, and in this Case of the five Hundreds, the said Earl and his Posterity must for ever have remain'd in the same Darknes which these wicked Men, who loved Darknes rather than Light, because their Deeds were Evil, had left the present Earl, their Predecessor.

As the finest Flesh turns into the most noisome and filthy Corruption, and since the three last mention'd Operators who finished the aforesaid wicked Scene for the Ruine of this unhappy Family of the *Coningsby's* :

The Father-in-law and Guardian was a Merchant :

Y

The



The Solicitor and Court-keeper, was an Attorney, and so vile a one, that he was with the greatest Infamy (the Law in such Cases prescribes) for saying he would rather serve the Devil for Money than God for Nought, rejected by the whole Fraternity.

So the following dreadful Account how *William Hill* (the Son of *Miles Hill* the Independent Preacher, and Sequestrator in the County of *Hereford*, during the most horrid Rebellion, which lasted from 1641, to the Restauration in 1660) being clothed with Holy Orders (by the then Bishop of *Hereford*, Brother of General *Monk*) to enable him to take it, became Minister of *Pencomb*, one of the Rectories belonging to the Hundred of *Cowarn*, and within the Dutchy of *Lancaster*, and ever since the Purchase of the five Hundreds from the Earl of *Leicester*, in the Gift of the Family of the *Coringesby's*.

We say, by the following black Story will appear to the great Advantage of the Merchant and the Attorney, how far the Devil enabled this presumptuous Monster, after he had taken upon him this Holy Function, infinitely to outstrip even the Devil's Attorney himself, in horrid Wickedness, and since,

The Service this abandon'd Wretch did, was (by Means of the Acquaintance which he had in the Time of the Usurpation, with some of the most Enthusiastick Men of the Independent Faction) the prevailing with three Shopkeepers in the City of *London*, to hearken to, and agree to be Actors in, a Plot which he himself had framed against the Life of the King and General *Monk*; and for which Conspiracy these miserable Creatures were executed, having confessed at their Tryal, and upon their Deaths, that they had consented to the wicked Design of which they were accused; but at the same Time declared, they never heard one Word concerning it from any other Man than the said *William Hill*, upon whose Evidence they had been convicted and condemned.

The Reward given him for the above Service by the Government (for such it appear'd to be to them) was 500*l.* in Money, and having got into Holy Orders, *Monk* the General's Brother (being then Bishop of *Hereford*, this artful Villain procured by the same Interest, and on the same Account from Secretary *Morris*, a near Relation of the same Family, a Letter to *Pitts-William Coringeshy*, Grandfather to the present Earl, to present him to his Rectory of *Pencomb*, worth above 200*l.* per Ann. then vacant, this Son of *Miles Hill*, the most inveterate of all the *Herefordshire* Sequestrators; and who, not four Years past, had, under the traiterous Title of that Tyrant *Oliver*, govern'd for his wicked Master all the  
Estate



Estate in the County of *Hereford*, which belonged to the said *Fitz-William Coningsby*, the much greater Part thereof being the Lands of *Henry* the Fifth, as Heir to his Mother *Mary*, the youngest Daughter of *Humphrey de Bobun* Earl of *Hereford*, *Essex*, and *Northampton*, and annexed by him to the Duchy of *Lancaster* for ever, by an Act of Parliament pass'd in the Second Year of his Reign, and which Act was confirmed and ratify'd by all succeeding Kings and Queens of both Lines, 'till their happy Union; and afterwards, whatever their Disputes were with Relation to their Titles to the Crown, the same was constantly done by whoever of them were in Possession of it.

Nay, even that arch-usurping Traytor *Cromwell*, when he had made himself the single Tyrant over this unhappy Country, by subjecting to be his Slaves those almost numberless wicked Men, who had put the Iron Yoke of Bondage upon the miserable Inhabitants of these three Kingdoms of *England*, *Scotland*, and *Ireland*, did, out of the Pride of his Heart, and the Ambition of his sinful Mind, pretend to ape that first glorious Prince of that noble Family of the *Plantagenets* (the Fathers of those just Laws by which our most antient and most happy Constitution was first restored, then maintained, and 'till now preserved unto us, (the dismal twenty Years interruption occasion'd by the Monsters aforesaid, always excepted) by Orders of Council, confirm'd by a few corrupt subservient Wretches, stiled by the impious Usurper his Parliament, first separated from the antient Crown Lands, and then settled on himself and his unhallow'd Posterity the Duchy of *Lancaster*, with all the annexed Lands by the great Son of that great Father *Hen. 4.* just before mention'd. But to return.

All the heavy Oppressions which this unfortunate Gentleman *Fitz-William Coningsby*, Grandfather to the present Earl, had laboured under for the twenty dismal proceeding Years of Usurpation, on account of his steady Loyalty to his King, and his early Appearance in the Cause of his Country, in Opposition to his traiterous Fellow-Subjects, did not, as we have been by Persons of unquestionable Credit informed, give him half the Uneasiness as did the Letter which Secretary *Morrice* writ by the Order of King *Charles* the Second, in Favour of this infernal *Pantheon Hill*, not only on account of the most barbarous Injustice which the Father, during his Power of being Sequestrator, had done him, and the horrid Character the Son bore with all Persons, and all Parties, but because he had given it away before he received the Letter, and therefore was incapacitated to obey those first Commands which he received from his beloved justly restored King; and which,



which, in answer to the Secretary of State's Letter, with the greatest Concern, and with the humblest Submission he represented.

Upon which, this vile Wretch, and those who supported him, by reason of several Outlawries that were against him for Debts contracted during the War, and for which he was a Prisoner in the *Fleet*, or *King's Bench*, found means not only to set aside his Presentation, but to put *Hill* into actual Possession of the Rectory of *Pencomb* aforesaid, and wherein he continued 'till his Death, being near forty Years, in Spite of all the Bishops, which endeavoured to remove him, it not being in their Power, as he well knew, so to do, because it was one of the Rectories annexed by the Second of *Hen. 5.* to the Dutchy of *Lancaster*; and so different was the Fate of this undone miserable Cavalier Patron, from the Circumstances of this most infamous of all Round-head Incumbents on the Restoration, That

The first, for dutifully and modestly refusing to break his Promise, was by Orders given from superior Powers to the Warden of the *Fleet*, for two or three Years continued close to the said Prison, and deny'd then (what even the Usurpers allow'd him before) Liberty with a Keeper to go to *Hampton-Court* in *Herefordshire*, for his Health and Diversion; and this contrary to the Interest, and consequently to the Will of his Creditors, since at that Time every Penny of their Debts depended upon his Life, his Son having not yet joined with him to dock any Part of the Intail made in 1619, as before has been mention'd.

Whereas the Second, who by all that knew him, was allowed to be the most flagrantly wicked of all Priests that ever were before him, of any Sort or Sect, found himself on this happy Change for him, rewarded for all his impious and traiterous Practices, against his God, his Country, his King, and his Fellow-Subjects, with the Rectory of *Pencomb*, which was the Desire of his Eyes, and which answered the utmost Ambition of his black Soul.

Because it enabled him even without a Nose to Nose the Bishop who succeeded Bishop *Monk*, who placed him there, by telling his Officer, who summon'd him to appear in his Court on Account of that infamous Mark which attended him to his Grave, that he should assure the Bishop that it was his first Wife (who all the World knew was reputed to be a Woman of Vertue) that gave him the Pox; and that he (the Bishop) might have fallen into the same Misfortune, had his Wife been made of the same Mold; and that for his Rectory of *Pencomb*, he held it by such a Title, that it lay not in his Power



Power to disturb him; and this last Part of his Message this wicked Man could maintain in any Court to be true.

As certainly as the infamous Scandal, which in the fore Part he lay'd upon his innocent virtuous Wife, he knew to be notoriously false.

This monstrous Priest having thus triumph'd over his Diocesan, had nothing now to guard against, but his injur'd Patron, and the present Earl *Coringesby*, then an Orphan, his Grandson and Heir, and which last he most effectually did, by joining with the Devil's Attorney, *Kyrwood*, and with the Earl's Father-in-law and Guardian, Mr. *Gorges*, in secreting and destroying all the Evidences they had in either of the Powers relating to the Estate of the Family of the *Coringesby's*, and amongst them those which appertained to the five Hundreds of *Bodenham*, *Cowarn*, (in which *Pencomb* lay) *Kingston*, *Burghill*, and *Stretford*, (of which last, *Leonballs* and *Eardisland* were Members) could never be forgot, either by the Lawyer or the Priest.

And so entirely ignorant was the Heir of this unhappy Family left by the first Usurpers, their all devouring Instruments the Sequestrators, and by these last mention'd three wicked Trust Betrayers,

That whilst the present Earl was Lord Justice of *Ireland*, in the Year 1691, one *Higgins James*, himself a senseless Tub Preacher of those sanctify'd Times, and as such, the Son and Heir apparent of the Vertues, as well as of the Cavaliers Lands, which Colonel *James*, one of *Oliver's* Colonels and Sequestrators had possess'd himself of, begg'd of King *William* and Queen *Mary*, in the Name of <sup>Samuel</sup> *Reignolds*, Member of Parliament for *Colchester*, a sorry Wretch of the same Kind, the Hundred and Mannor of *Great Cowarn*, one of the five Hundreds aforesaid; and this on Account that on the Death of the said *Higgins James's* Wife, the Scite or Capital Messuage of the said Hundred and Mannor called *Paunceford-Court*, which she held as her Jointure from *Goodwin* her first Husband, had been, while the said five Hundreds, with all the rest of the Estate of the *Coringesby's*, were under Sequestration, presented as an Escheat belonging to the then unrighteous Possessors for want of Heirs of *Goodwin* who was a Bastard, and so had continued to be after the Restoration, during the Life of *Fitz-William*, *Humphrey*, and the present Earl *Coringesby*, till the said Patent to *Reignolds* of *Colchester* past the Great Seal, Sir *John Trevor*, then Speaker of the House of Commons, being first Commissioner, and Sir *John Somers* Solicitor-General, and which happened to be the first Day the present Earl sat in that House after his Return from *Ireland* in November 1692, and when, to his Amazement, he

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heard



heard the present Earl of *Oxford*, then one of the Commissioners of the publick Accounts, in Obedience to an Order which the said Commissioners had, to lay before the House the Names of such Members who had procured Grants from the Crown, report that his the said Earl's Hundred and Mannor of *Great Cowarn* was granted to the said *Reignolds* and *James*.

But this most fruitless and scandalous Attempt against the Earl prov'd of the greatest Advantage imaginable to him, since before, (otherwise than he found the five Hundreds in his Deed of Intail, so often mention'd, and that the said Capital Messuage called *Paunceford's-Court* in the Hundred and Mannor of *Cowarn*, had been formerly and was still continued to be presented by the Homage, as an Escheat whenever *Mrs. James*, formerly the Wife of *Goodwin* dy'd) he knew not by what Title he held the Hundreds, and had remain'd in the same State of Ignorance for ever, in which he was left by his treacherous Trustees before mention'd. But he thought it Time to search for the Grant from the Crown of the said Mannor of *Cowarn*, and found it granted with *Kingston*, *Bodenham*, *Stretford*, and *Burghill*, in Exchange for other Mannors, to the Great Earl of *Leicester*, by Queen *Elizabeth*, as before is at large set forth in this Case; and in the Year 1698 *Mrs. James* dying, the said Capital Messuage of *Cowarn*, call'd *Paunceford's-Court*, being worth 150*l.* per Ann. came into the present Earl *Coringesby's* Hands, as an Escheat, and without Interruption has been quietly enjoyed by him to this Day.

To conclude, as in 1691 *Reignolds* of *Colchester* beg'd *Cowarn*, one of the five Hundreds, of King *William*:

So did my Lord *Sommers* in the Year 1699, beg of the same King the certain Money, or Common Fine Silver, issuing out of several Villages within the said five Hundreds of *Bodenham*, *Burghill*, *Cowarn*, *Stretford*, and *Kingston*; and which Common Fines had been cover'd during the Usurpation by the Parliament from being known to be the Estate of the *Coringesby's*, as the Mannors of *Cowarn* and *Pencomb* had been concealed by *Kyrwood* the Lawyer, and *Hill* the Priest, as appears by the following Case.



*The C A S E between Earl Coningesby, and the Heirs of Lord Sommers, with Relation to certain Money and Common Fine Silver, payable out of several Villages, &c. lying within the five Hundreds of Bodenham, Cowarn, Stretford, Kingston, and Burghill, in the County of Hereford and Dutchy of Lancafter.*

**G**ABRIEL TAYLOR being (in vertue of an Act or Ordinance of Parliament, which past the 8th of September 1653) establish'd in the Receipt of the Revenues of the said Royalties and Common Fines belonging to Earl Coningesby's said five Hundreds of Kingston, Bodenham, Burghill, Cowarn, and Stretford, as Fee Farm Rents belonging to the Crown, he, or those who claimed under his Grant, received the same until the Restoration, and afterwards (as there is Reason to believe) continued so to do, under the same Title and no other, until

*Vide the Act or Ordinance pass'd for that Purpose, at large in Stobell's Acts and Ordinances, fo. 238; and an Abstract of the same herein before, fo. 65 to 67.*

John Lord Sommers, 6 Jan. 1697, obtained a Grant of several Fee Farm Rents in several Counties, from the Trustees impowered by an Act of Parliament made for Sale of Fee Farm Rents belonging to the King.

But it appearing that many of those Rents were either sold before, or reserved for Pensions, in Lease, old Supers, bad, decay'd, or not to be found. To make good that Loss, he obtained another Grant from the Trustees, dated 21 Oct. 1699, of many other Rents to the Amount of 391 l. cs. 3 d.  $\frac{1}{2}$  per Ann. in several Counties, and particularly of several by the Names of annual or Fee Farm Rents, reserved and issuing out of and for several Townships in the County of Hereford, which in the said Grant are thus named, first, All that annual or Fee Farm Rent reserved and issuing out of and for a Common Fine for the Township of Brockbury in the said County; and then follows many others, which are named Annual or Fee Farm Rents, and mentioned to be issuing, out of the Towns therein named, but without mentioning the Words Common Fine; and then follows many other Rents in

*Vide the Copy of the Grant, fo. 12 to 19; which Copy is taken out of the Inrollment Office in Chancery, and attested by Luke Phillips, Master of that Office.*



*Vide the said Copy, fo.  
40.*

in other Counties, which by this Grant are convey'd to *Richard Adney* (in Trust for the Lord *Sommers* :) And then the Grant (among other general Words) grants all the Estate, Right, Interest, Claim, and Demand, together with all and every the Rights, Royalties, Privileges, Immunities, Benefits, and Advantages whatsoever of them the Trustees, and which they can or may claim, or of Right ought to have of, in, or unto the said Rents and Premises, or any or either of them, by Force or Vertue of the said Acts of Parliament, or by Vertue of the King's Prerogative, or otherwise howsoever, to hold the said Rents and Premises, with all their Rights, Privileges, and Appurtenances, and every the Advantages, and other the Premises whatsoever, to the said *Richard Adney*, his Heirs and Assigns.

So that by these general Words, Lord *Sommers* had obtained to himself not only the Rents and Common Fines belonging to Earl *Coningsby*'s said five Hundreds of *Bodenham*, *Burghill*, *Kingston*, *Cowarn*, and *Stretford*, but also the Royalties, Perquisites, &c. of those five Hundreds, and consequently the Hundreds themselves, and the Mannors and Lands thereto belonging.

After Lord *Sommers*'s Decease, his Estate came to his two Sisters, who, together with their Husbands did in *Michaelmas* Term, in the fourth Year of his present Majesty's Reign, levy a Fine of the said Rents and Premises in the County of *Hereford*, by the same Names and Descriptions as they are named and described in the Lord *Sommers*'s said Grant of 1699.

*Vide the 2d Survey of  
the Hundred of Bromash  
only, (one of the seven  
County Hundreds) where-  
in lies two of Earl Co-  
ningsby's five Hundreds,  
viz. Bodenham, and Co-  
warn, herein before, fo.  
59 to 62.*

Earl *Coningsby* hearing thereof, did in *Feb. 1722*, enter his Claim to all the said Rents and Premises contain'd in the said Fine (upon the Record of the same Fine) as his Right and Inheritance; for if this Fine had stood good, Earl *Coningsby* had been divested not only of his said five Hundreds, and his certain Money, or Common Fine Silver, but of 3000*l.* per *Ann.* besides, lying within and being Parcel of them.

**F I N I S.**





An Abridgment of  
MANWOOD'S  
**Forest Laws.**

And of all the  
Acts of Parliament  
Made Since ;  
WHICH RELATE TO  
*Hunting, Hawking, Fishing, or  
Fowling.*

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L O N D O N ;  
Printed by F. C. for N. C. 1705.